This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

W. R. McCOURT, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 6 December, 1944.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. 1944.

An Act to provide for the application of certain moneys paid to the State by the Commonwealth of Australia and of moneys appropriated by Parliament for the purpose of the alleviation of hardship suffered by cereal growers in consequence of drought; to amend the Farmers' Relief Act, 1932-1943; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Cereal Growers short tible... Drought Relief Act, 1944."

66691 53—A

- 2. In this Act, unless the context or subject-matter Definitions. otherwise indicates or requires-
 - "Cereal grower" means a grower of crops of wheat, oats or barley or wheaten or oaten hav.
- "Commonwealth Act" means the States Grants 5 (Drought Relief) Act 1944 of the Parliament of the Commonwealth of Australia.
 - "Person" includes any body of persons corporate or unincorporate.
- "Prescribed" means prescribed by this Act or by 10 the regulations.
 - "Regulations" means regulations made under this Act.
- "Special account" means the Cereal Growers 15 Drought Relief 1944 Account established under section three of this Act.
- 3. All moneys paid to the State by the Commonwealth Application in pursuance of the Commonwealth Act shall be carried of moneys to a special account in the Treasury to be called the the Common-20 "Cereal Growers Drought Relief 1944 Account."

wealth to the State.

There shall also be carried to that account all moneys appropriated by Parliament for the purpose of supplementing the moneys so paid to the State by the Commonwealth.

- All moneys in the special account shall be applied and distributed within the State in accordance with the conditions set out in section five of the Commonwealth
- 4. (1) Applications for payments out of the special Payment 30 account shall be made to the prescribed authority and growers. shall be in or to the effect of the prescribed form, or ef. Act where no such form is prescribed, shall be in or to the No. 4, 1941, effect of a form provided by the prescribed authority.

(2) A payment from the special account shall not be 35 made unless the prescribed conditions have been complied with and the applicant has complied with the requirements of any notice given to him under section seven of this Act.

- (3) Any amount payable under this Act to a cereal grower shall not be paid to any person other than the cereal grower or the trustee of his estate or, where the cereal grower is dead, to his legal personal represen-5 tative.
 - 5. The Rural Bank of New South Wales through its Appointment Rural Industries Agency shall be the prescribed authority for the purposes of this Act.

6. Notwithstanding anything in the Census Act, 1901, Government 10 the Government Statistician may supply to the pre- may supply scribed authority such information as may be in his informapossession which may assist in the application and dis
Ibid. s. 6. tribution of the moneys in the special account in accordance with this Act.

7. (1) The prescribed authority or any person there-Power to to authorised in writing by the prescribed authority may information. by notice in writing call upon any person to furnish to cf. Ibid. s. 7. the prescribed authority or such authorised person within such time as is specified in the notice, such books and 20 documents and such information as the prescribed

authority or such authorised person thinks necessary in relation to compliance with this Act or the regulations

or any suspected contravention thereof. Any such notice may be given to the person to whom 25 it is addressed, personally or by registered letter sent

through the post to his last known place of abode or business in New South Wales. (2) Any person who without reasonable excuse

fails, after receipt of a notice under subsection one of 30 this section, to comply with the requirements of the notice shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.

8. (1) Any person who—

35

Offences.

(a) obtains or attempts to obtain payment of any Ibid. s. 8. moneys from the special account to which he is not entitled;

(b) makes any statement in any application under this Act which is false or misleading in any material particular,

shall

shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.

- (2) Where any person has been convicted of an offence against subsection one of this section, he shall **5** be liable to forfeit all moneys which would otherwise be payable to him from the special account.
- (3) Where any amount has been paid from the special account to any person who is not entitled thereto, or who has failed to comply with any condition or stipulation attached to the payment of such amount to him,
- 10 lation attached to the payment of such amount to him, he shall forthwith repay such amount to the prescribed authority and, if he fails so to do, such amount may be recovered by the prescribed authority as a debt in any court of competent jurisdiction.
- 9. (1) Any person contravening any of the provisions Penalties. of this Act or the regulations where no penalty is ex- cf. Act No. pressly provided shall be liable to a penalty not exceed- s. 9. ing one hundred pounds.
- (2) Any penalty imposed by this Act or the regula-20 tions may be recovered in a summary manner before a stipendiary or police magistrate.
- 10. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which 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, and in particular and without prejudice to the generality of the foregoing power the Governor may—
- (a) prescribe the manner of making applications under this Act;

35

40

- (b) require information to be furnished by applicants in respect of their applications;
- (c) require applications made and information furnished to be verified by statutory declarations;
- (d) prescribe the forms required under this Act;
- (e) prescribe the time within which applications shall be lodged;
- (f) prescribe the basis of payment under this Act to cereal growers who are parties to a share-farming agreement.

(2)

- (2) Such regulations shall—
- (i) be published in the Gazette;
- (ii) take effect from the date of publication or from a later date to be specified therein;
- 5 (iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 10 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation 15 or part shall thereupon cease to have effect.
 - 11. The Farmers' Relief Act, 1932-1943, is amended by Amendment of Act No. 33, inserting after section 33r the following new section:— 1932. 33g. The property and interest of any farmer in Payments any moneys received by him out of the Cereal Growers Growers Drought Relief 1944 Account in accordance Act, 1944, with the Cereal Growers Drought Relief Act, 1944, protected.

shall be unaffected by this Act.

Sydney: Thomas Henry Tennant, Government Printer-1944.

20

53-B

[5]

Cereal Growers Drought Relief Bill, 1944.

EXPLANATORY NOTE.

THIS Bill is supplementary to the States Grants (Drought Relief) Bill recently introduced in the Parliament of the Commonwealth. The Commonwealth Bill makes provision for the payment of certain amounts by the Commonwealth to certain States, including New South Wales, for the purpose of the alleviation of hardship suffered, in consequence of drought, by persons concerned in the production of cereal crops.

It also provides that any amount so paid to a State shall be paid upon conditions specified in the Bill, which include a condition that an equal amount will be made available by the State, and that the amount so made available will be applied by the State for the same purpose and in the same manner as the amount paid to the State by the Commonwealth.

The attached Bill sets up a special account in the Treasury into which the moneys paid by the Commonwealth and contributed by the State will be paid. The moneys in the special account will be distributed by the Rural Bank of New South Wales to cereal growers to enable them to continue their operations.

The Bill follows substantially the lines of the Wheatgrowers Relief Act, 1941, of this State.



A BILL

To provide for the application of certain moneys paid to the State by the Commonwealth of Australia and of moneys appropriated by Parliament for the purpose of the alleviation of hardship suffered by cereal growers in consequence of drought; to amend the Farmers' Relief Act, 1932-1943; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of 5 the same, as follows:—

1. This Act may be cited as the "Cereal Growers short title. Drought Relief Act, 1944."

66691 53-A

- 2. In this Act, unless the context or subject-matter Definitions. otherwise indicates or requires—
 - "Cereal grower" means a grower of crops of wheat, oats or barley or wheaten or oaten hay.
- "Commonwealth Act" means the States Grants 5 (Drought Relief) Act 1944 of the Parliament of the Commonwealth of Australia.
 - "Person" includes any body of persons corporate or unincorporate.
- "Prescribed" means prescribed by this Act or by 10 the regulations.
 - "Regulations" means regulations made under this Act.
- "Special account" means the Cereal Growers 15 Drought Relief 1944 Account established under section three of this Act.
- 3. All moneys paid to the State by the Commonwealth Application in pursuance of the Commonwealth Act shall be carried of moneys to a special account in the Treasury to be called the the Common-20 "Cereal Growers Drought Relief 1944 Account."

paid by wealth to the State.

There shall also be carried to that account all moneys appropriated by Parliament for the purpose of supplementing the moneys so paid to the State by the Commonwealth.

- All moneys in the special account shall be applied and distributed within the State in accordance with the conditions set out in section five of the Commonwealth Act.
- 4. (1) Applications for payments out of the special Payment 30 account shall be made to the prescribed authority and growers. shall be in or to the effect of the prescribed form, or ef. Act where no such form is prescribed, shall be in or to the No. 4, 1941, effect of a form provided by the prescribed authority.

(2) A payment from the special account shall not be 35 made unless the prescribed conditions have been complied with and the applicant has complied with the requirements of any notice given to him under section seven of this Act.

- (3) Any amount payable under this Act to a cereal grower shall not be paid to any person other than the cereal grower or the trustee of his estate or, where the cereal grower is dead, to his legal personal represen-5 tative.
 - 5. The Rural Bank of New South Wales through its Appointment Rural Industries Agency shall be the prescribed authority authority. for the purposes of this Act.

6. Notwithstanding anything in the Census Act, 1901, Government Statistician 10 the Government Statistician may supply to the pre-may supply scribed authority such information as may be in his informa possession which may assist in the application and dis
Ibid. 8. 6. tribution of the moneys in the special account in accordance with this Act.

7. (1) The prescribed authority or any person there-Power to to authorised in writing by the prescribed authority may information. by notice in writing call upon any person to furnish to cf. Ibid. . 7. the prescribed authority or such authorised person within such time as is specified in the notice, such books and 20 documents and such information as the prescribed authority or such authorised person thinks necessary in

relation to compliance with this Act or the regulations

- or any suspected contravention thereof. Any such notice may be given to the person to whom 25 it is addressed, personally or by registered letter sent through the post to his last known place of abode or business in New South Wales.
- (2) Any person who without reasonable excuse fails, after receipt of a notice under subsection one of 30 this section, to comply with the requirements of the notice shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.
 - 8. (1) Any person who—

35

Offences.

- (a) obtains or attempts to obtain payment of any Ibid. s. 8. moneys from the special account to which he is not entitled;
- (b) makes any statement in any application under this Act which is false or misleading in any material particular,

shall

shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.

- (2) Where any person has been convicted of an offence against subsection one of this section, he shall 5 be liable to forfeit all moneys which would otherwise be payable to him from the special account.
 - (3) Where any amount has been paid from the special account to any person who is not entitled thereto, or who has failed to comply with any condition or stipu-
- 10 lation attached to the payment of such amount to him, he shall forthwith repay such amount to the prescribed authority and, if he fails so to do, such amount may be recovered by the prescribed authority as a debt in any court of competent jurisdiction.
- 9. (1) Any person contravening any of the provisions Penalties. of this Act or the regulations where no penalty is ex- cf. Act No. 4, 1941, pressly provided shall be liable to a penalty not exceed- s.9. ing one hundred pounds.

- (2) Any penalty imposed by this Act or the regula-20 tions may be recovered in a summary manner before a stipendiary or police magistrate.
- 10. (1) The Governor may make regulations not in-Regulations. consistent with this Act prescribing all matters which are required or permitted to be prescribed or which are 25 necessary or convenient to be prescribed for carrying out or giving effect to this Act, and in particular and without prejudice to the generality of the foregoing power the Governor may—

(a) prescribe the manner of making applications 30 under this Act:

35

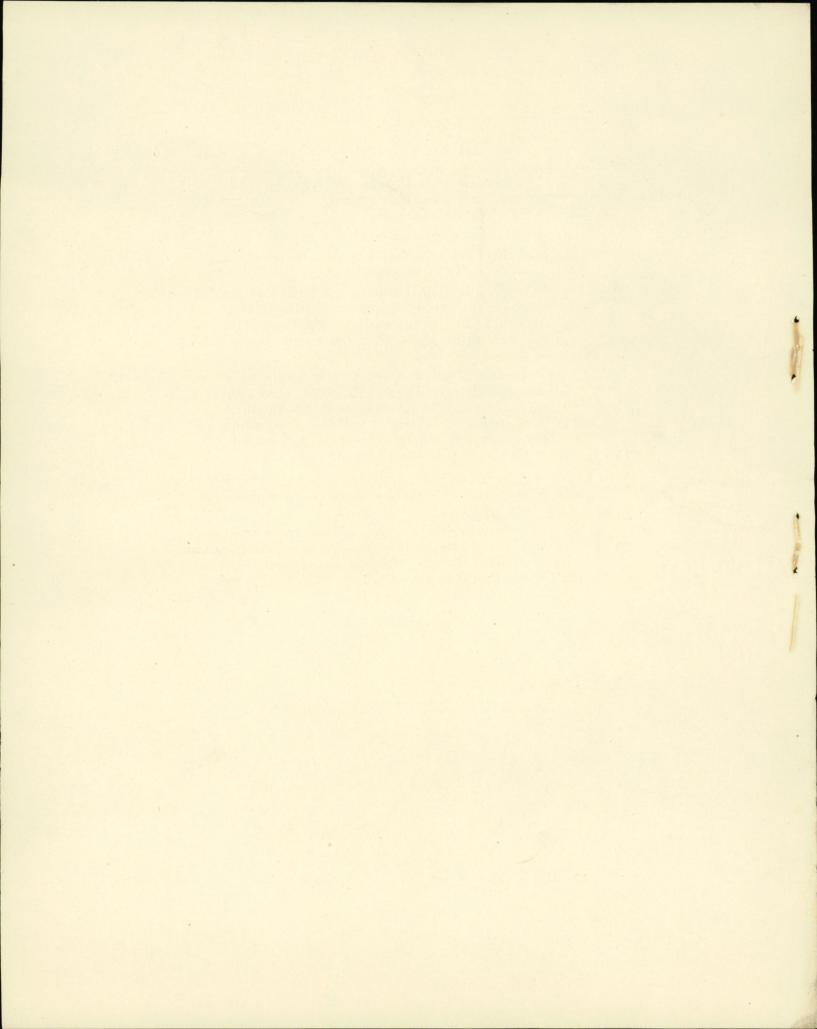
40

- (b) require information to be furnished by applicants in respect of their applications;
- (c) require applications made and information furnished to be verified by statutory declarations:
- (d) prescribe the forms required under this Act;
- (e) prescribe the time within which applications shall be lodged;
- (f) prescribe the basis of payment under this Act to cereal growers who are parties to a sharefarming agreement.

- (2) Such regulations shall—
- (i) be published in the Gazette:
- (ii) take effect from the date of publication or from a later date to be specified therein;
- 5 (iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.
- 10 If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation 15 or part shall thereupon cease to have effect.
 - 11. The Farmers' Relief Act, 1932-1943, is amended by Amendment of Act No. 33, inserting after section 33F the following new section:— 1932.

33g. The property and interest of any farmer in Payments any moneys received by him out of the Cereal Growers Drought Relief 1944 Account in accordance Drought Relief Growers Drought Relief 1944 Account in accordance Act, 1944 20 with the Cereal Growers Drought Relief Act, 1944, protected. shall be unaffected by this Act.

Sydney: Thomas Henry Tennant, Government Printer-1944.



Act No. 33, 1944.



ANNO OCTAVO

GEORGH VI REGIS.

Act No. 33, 1944.

An Act to provide for the application of certain moneys paid to the State by the Commonwealth of Australia and of moneys appropriated by Parliament for the purpose of the alleviation of hardship suffered by cereal growers in consequence of drought; to amend the Farmers' Relief Act, 1932-1943; and for purposes connected therewith. [Assented to, 8th December, 1944.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Cereal Growers short title. Drought Relief Act, 1944."

67325—A

Definitions.

- 2. In this Act, unless the context or subject-matter otherwise indicates or requires—
 - "Cereal grower" means a grower of crops of wheat, oats or barley or wheaten or oaten hay.
 - "Commonwealth Act" means the States Grants (Drought Relief) Act 1944 of the Parliament of the Commonwealth of Australia.
 - "Person" includes any body of persons corporate or unincorporate.
 - "Prescribed" means prescribed by this Act or by the regulations.
 - "Regulations" means regulations made under this Act.
 - "Special account" means the Cereal Growers
 Drought Relief 1944 Account established under
 section three of this Act.

Application of moneys paid by the Commonwealth to the State.

3. All moneys paid to the State by the Commonwealth in pursuance of the Commonwealth Act shall be carried to a special account in the Treasury to be called the "Cereal Growers Drought Relief 1944 Account."

There shall also be carried to that account all moneys appropriated by Parliament for the purpose of supplementing the moneys so paid to the State by the Commonwealth.

All moneys in the special account shall be applied and distributed within the State in accordance with the conditions set out in section five of the Commonwealth Act.

Payment to cereal growers. cf. Act No. 4, 1941, s. 4.

- 4. (1) Applications for payments out of the special account shall be made to the prescribed authority and shall be in or to the effect of the prescribed form, or where no such form is prescribed, shall be in or to the effect of a form provided by the prescribed authority.
- (2) A payment from the special account shall not be made unless the prescribed conditions have been complied with and the applicant has complied with the requirements of any notice given to him under section seven of this Act.

(8)

- (2) Such regulations shall—
- (i) be published in the Gazette;
- (ii) take effect from the date of publication or from a later date to be specified therein;
- (iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

11. The Farmers' Relief Act, 1932-1943, is amended by Amendment of Act No. 33, inserting after section 33r the following new section:— 1932.

33G. The property and interest of any farmer in Payments any moneys received by him out of the Cereal under Cereal Growers Drought Relief 1944 Account in accordance Act, 1944, protected. shall be unaffected by this Act.

New sec. 33G.

By Authority:

AHOMAS HENRY TENNANT, Government Printer, Sydney, 1945. [3d.]

- Hade snotherners in the (1).
- (i) he published in the tarette:
- (ii) take effect teem the date of problemtion of from a large-stage to be specified therein.
- (iii) to had before both Houses of Laringson with a lourteen sitting days after publication if that hamen its in session, and if not, then within fourteen sitting days after the connencement of the next session.

It either sloues of Parinament passes a resolation of which notice has been given at any time within fitteen situate days after such regulations have been laid before such House this allowing any regulation or part sulveof, such regulation or part shall the letter consector made effect.

True Farmer Collet Aug. 1942-1943 is amended by Amendage inscription and the collection of Aug. 200

the first operation and threshold of the Cerebians and the consist and money are consistent of the Cerebian and the consistent of the Cerebian and the consistent of the consi

By Authority; o

HOMAS HARAS LINEAR SERVICE CONTRIBUTED AND PROPERTY POLICE.

I certify that this Public Bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

W. R. McCOURT, Clerk of the Legislative Assembly.

Legislative Assembly Chamber, Sydney, 7 December, 1944.

New South Wales.



ANNO OCTAVO

GEORGII VI REGIS.

Act No. 33, 1944.

An Act to provide for the application of certain moneys paid to the State by the Commonwealth of Australia and of moneys appropriated by Parliament for the purpose of the alleviation of hardship suffered by cereal growers in consequence of drought; to amend the Farmers' Relief Act, 1932-1943; and for purposes connected therewith. [Assented to, 8th December, 1944.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Cereal Growers short title. Drought Relief Act, 1944."

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

G. BOOTH, Chairman of Committees of the Legislative Assembly.

Definitions.

- 2. In this Act, unless the context or subject-matter otherwise indicates or requires-
 - "Cereal grower" means a grower of crops of wheat, oats or barley or wheaten or oaten hay.
 - "Commonwealth Act" means the States Grants (Drought Relief) Act 1944 of the Parliament of the Commonwealth of Australia.
 - "Person" includes any body of persons corporate or unincorporate.
 - "Prescribed" means prescribed by this Act or by the regulations.
 - "Regulations" means regulations made under this Act.
 - "Special account" means the Cereal Growers Drought Relief 1944 Account established under section three of this Act.

Application of moneys wealth to the State.

3. All moneys paid to the State by the Commonwealth in pursuance of the Commonwealth Act shall be carried paid by the Common to a special account in the Treasury to be called the "Cereal Growers Drought Relief 1944 Account."

There shall also be carried to that account all moneys appropriated by Parliament for the purpose of supplementing the moneys so paid to the State by the Commonwealth.

All moneys in the special account shall be applied and distributed within the State in accordance with the conditions set out in section five of the Commonwealth

Payment to cereal growers. cf. Act No. 4, 1941, 8. 4.

- 4. (1) Applications for payments out of the special account shall be made to the prescribed authority and shall be in or to the effect of the prescribed form, or where no such form is prescribed, shall be in or to the effect of a form provided by the prescribed authority.
- (2) A payment from the special account shall not be made unless the prescribed conditions have been complied with and the applicant has complied with the requirements of any notice given to him under section seven of this Act.

(3)

- (3) Any amount payable under this Act to a cereal grower shall not be paid to any person other than the cereal grower or the trustee of his estate or, where the cereal grower is dead, to his legal personal representative.
- 5. The Rural Bank of New South Wales through its Appointment Rural Industries Agency shall be the prescribed authority authority. for the purposes of this Act.

6. Notwithstanding anything in the Census Act, 1901, Government Statistician the Government Statistician may supply to the pre- may supply scribed authority such information as may be in his informa possession which may assist in the application and dis- Ibid. s. 6. tribution of the moneys in the special account in accordance with this Act.

7. (1) The prescribed authority or any person there-Power to to authorised in writing by the prescribed authority may information. by notice in writing call upon any person to furnish to cf. Ibid. s. 7. the prescribed authority or such authorised person within such time as is specified in the notice, such books and documents and such information as the prescribed authority or such authorised person thinks necessary in relation to compliance with this Act or the regulations or any suspected contravention thereof.

Any such notice may be given to the person to whom it is addressed, personally or by registered letter sent through the post to his last known place of abode or business in New South Wales.

- (2) Any person who without reasonable excuse fails, after receipt of a notice under subsection one of this section, to comply with the requirements of the notice shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.
 - 8. (1) Any person who-

Offences.

Ibid. s. 8

- (a) obtains or attempts to obtain payment of any moneys from the special account to which he is not entitled;
- (b) makes any statement in any application under this Act which is false or misleading in any material particular,

shall

shall be guilty of an offence and shall be liable to a penalty not exceeding two hundred pounds.

- (2) Where any person has been convicted of an offence against subsection one of this section, he shall be liable to forfeit all moneys which would otherwise be payable to him from the special account.
- (3) Where any amount has been paid from the special account to any person who is not entitled thereto, or who has failed to comply with any condition or stipulation attached to the payment of such amount to him, he shall forthwith repay such amount to the prescribed authority and, if he fails so to do, such amount may be recovered by the prescribed authority as a debt in any court of competent jurisdiction.

Penalties. ef. Act No. 4, 1941, s. 9.

- 9. (1) Any person contravening any of the provisions of this Act or the regulations where no penalty is expressly provided shall be liable to a penalty not exceeding one hundred pounds.
- (2) Any penalty imposed by this Act or the regulations may be recovered in a summary manner before a stipendiary or police magistrate.

Regulations.

- 10. (1) The Governor may make regulations not inconsistent with this Act prescribing all matters which 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, and in particular and without prejudice to the generality of the foregoing power the Governor may—
 - (a) prescribe the manner of making applications under this Act;
 - (b) require information to be furnished by applicants in respect of their applications;
 - (c) require applications made and information furnished to be verified by statutory declarations;
 - (d) prescribe the forms required under this Act;
 - (e) prescribe the time within which applications shall be lodged;
 - (f) prescribe the basis of payment under this Act to cereal growers who are parties to a share-farming agreement.

- (2) Such regulations shall—
- (i) be published in the Gazette;
- (ii) take effect from the date of publication or from a later date to be specified therein;
- (iii) be laid before both Houses of Parliament within fourteen sitting days after publication if Parliament is in session, and if not, then within fourteen sitting days after the commencement of the next session.

If either House of Parliament passes a resolution of which notice has been given at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation or part thereof, such regulation or part shall thereupon cease to have effect.

11. The Farmers' Relief Act, 1932-1943, is amended by Amendment of Act No. 33, inserting after section 33f the following new section:— 1932.

33G. The property and interest of any farmer in Payments any moneys received by him out of the Cereal Growers Growers Drought Relief 1944 Account in accordance Act, 1944. with the Cereal Growers Drought Relief Act, 1944, protected. shall be unaffected by this Act.

New sec. 33G.

In the name and on behalf of His Majesty I assent to this Act.

> WAKEHURST, Governor.

Government House, Sydney, 8th December, 1944.

