

RUBBER GROWERS ASSISTANCE ORDINANCE, 1935.⁽¹⁾

No. 5 of 1935.

An Ordinance to provide for the Application of sums granted out of the Revenues of the Territory for the Assistance of Rubber Growers and to Validate the Appropriation and Application of certain sums applied to a like purpose.

BE it ordained by the Legislative Council for the Territory of Papua, in pursuance of the powers conferred by the *Papua Act, 1905-1934*, as follows:—

1. This Ordinance may be cited as the *Rubber Growers Assistance Ordinance, 1935.*⁽¹⁾ Short title.

2. The *Application of the Grant to Rubber Growers Validating Ordinance, 1934*, is repealed. Repeal.

3. In this Ordinance unless the context otherwise indicates:— Definitions.

“Assistance” means the financial assistance for rubber growers the application of which is provided for in this Ordinance;

“Authorized sum” means the sum from time to time appropriated from the Revenues of the Territory for the assistance of rubber growers;

“Rubber grower” means any person producing rubber for export from trees grown by him in the Territory but does not include a native.

4.—(1.) At the end of each month an amount from the authorized sum shall be available for the assistance of rubber growers. Such amount shall be equal to the sum by which the Revenues of the Territory have been increased in that month by the monthly grant from the Commonwealth in respect of Customs duty on Papuan rubber imported into Australia. Amount and rate of assistance.

(2.) The rate of assistance payable to rubber growers for each pound of rubber exported to Australia in any specified month or

(1) Particulars of this Ordinance are as follows:—

Date of assent by Lieut.-Gov.	Date notified in <i>Papua Govt. Gaz.</i> as not disallowed by Gov.-Gen. in Council.	Date on which came into operation.
18.7.1935	4.12.1935	18.7.1935 (<i>Ordinances etc. of Papua, 1935, p. 11</i>)

RUBBER—

months shall be such rate as the Treasurer declares by notice⁽²⁾ published in the *Gazette*.

(3.) If in any month the amount available for the assistance of rubber growers exceeds the amount required for such assistance at the rate declared under Subsection (2.) of this section the excess amount shall be available in subsequent months.

Penalties.

5. Any person who acts in contravention of any provision of this Ordinance or the regulations hereunder shall where no penalty is expressly provided be liable upon summary conviction to a penalty not exceeding One hundred pounds or imprisonment for six months with or without hard labour.

Lieutenant-Governor's discretion.

6. Notwithstanding anything contained in this Ordinance the Lieutenant-Governor⁽³⁾ may order that any application for assistance be rejected if the circumstances in his opinion warrant such a course.

Validation of assistance granted to rubber growers.

7. The sum of Seven thousand three hundred and forty-two pounds ten shillings applied for the assistance of rubber growers of the Territory for the year ended the thirtieth day of June One thousand nine hundred and thirty-three and the sum of Twenty-three thousand two hundred and thirty-seven pounds seven shillings and one penny applied for a like purpose in the year ended the thirtieth day of June One thousand nine hundred and thirty-four shall be deemed to have formed part of the Revenues of the Territory and to have been lawfully appropriated and applied.

Officers indemnified.

8. The Lieutenant-Governor and the Treasurer and all other officers are hereby indemnified against all claims and liabilities in respect of the application and payment of the sums mentioned in the last preceding section.

Regulations.

9. The Lieutenant-Governor in Council⁽³⁾ may make regulations⁽⁴⁾ not inconsistent with this Ordinance prescribing all matters which by this Ordinance are required or permitted to be prescribed or which are necessary or convenient to be prescribed for giving effect to this Ordinance and in particular in regard to all or any of the following matters:—

- (a) The form and manner of applications for assistance;
- (b) The time for lodging applications for assistance;

(2) Notices made pursuant to Section 4(2) have been published from time to time in *Papua Govt. Gaz.* The last of such notices was dated 16.8.1937 and was published in *Papua Govt. Gaz.* of 1.9.1937. No such notice is still in force.

(3) See Section 19(2) of the *Ordinance Interpretation Ordinance*, 1911-1940.

(4) No regulations have been made.

Rubber Growers Assistance Ordinance, 1935.

- (c) The method of checking the quantities of rubber in respect of which assistance is applied for;
- (d) The method and time for giving assistance;
- (e) The marking of rubber in respect of which assistance is applied for; and
- (f) The imposition of penalties not exceeding One hundred pounds or imprisonment with or without hard labour for any period not exceeding six months for offences against the regulations punishable upon summary conviction.