

DRIED FRUITS.

No. 11 of 1928.

An Act relating to Trade and Commerce with other Countries and among the States in certain Dried Fruits.

[Assented to 22nd May, 1928.]

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

1. This Act may be cited as the *Dried Fruits Act* 1928.

Short title.

2. In this Act, unless the contrary intention appears—

Definition.

“dried fruits” means any of the following kinds of dried fruits, namely, dried currants, dried sultanas, and dried lexias, and includes any currants, sultanas and lexias which are partly, but not completely, dried.

3.—(1.) Except as provided by the Regulations—

Inter-state trade in dried fruits.

(a) the owner or person having possession or custody of dried fruits shall not deliver any dried fruits to any person for carriage into or through another State to a place in Australia beyond the State in which the delivery is made; and

(b) a person shall not carry any dried fruits from a place in one State into or through another State to a place in Australia beyond the State in which the carriage begins,

unless, in either case, a licence has been issued under this Act permitting that carriage of those dried fruits and except in accordance with the licence so issued.

Penalty: One hundred pounds or imprisonment for six months.

(2.) Prescribed authorities may issue licences, for such period and upon such terms and conditions as are prescribed, permitting the carriage of dried fruits from a place in one State to a place in Australia beyond that State.

(3.) Any dried fruits which have been, or are in process of being, carried in contravention of this Act, shall be forfeited to the King.

(4.) A prescribed authority may require any person to give security, in such form and to such amounts as are approved by the

Minister, for compliance by the person with the terms and conditions of any licence issued to him under this Act.

(5.) Where the Minister on report by a prescribed authority is satisfied that any person to whom a licence has been issued under this section has contravened or failed to comply with any term or condition of the licence, the Minister may cancel the licence, and the licence shall thereupon cease to be of any force or effect.

Furnishing of
returns, &c.

4.—(1.) A prescribed authority may require any person to furnish or produce, within such period as the prescribed authority specifies, any licence issued to him under this Act, and may require any person to furnish or produce, within a like period, such returns or documents in relation to dried fruits as are prescribed.

(2.) Any person who, being required in pursuance of the last preceding sub-section to produce a licence or to furnish a return or produce documents, refuses or fails to comply with that requirement within the period specified by the prescribed authority shall be guilty of an offence.

Penalty: One hundred pounds.

Regulations.

5. The Governor-General 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 for—

- (a) prescribing the conditions (which may include conditions as to the export from Australia of dried fruits by or on behalf of the person applying for a licence) upon which licences may be issued;
- (b) prescribing the maximum quantity which may be contained in a consignment of dried fruits which may be carried from a place in one State to a place in Australia beyond that State without the issue of a licence under this Act;
- (c) prescribing the kinds and quality of dried fruits for the carriage of which from a place in one State to a place in Australia beyond that State a licence shall not be necessary;
- (d) prescribing the form of licences, and the procedure in relation to their use;
- (e) prescribing means of identifying the dried fruits to which a licence relates;
- (f) conferring upon prescribed authorities and officers powers of entry on, and inspection of, places where any process in connexion with the drying of fruits is carried on, or on or of any places where dried fruits are, or are believed by a prescribed authority or officer to be; and
- (g) prescribing penalties not exceeding a fine of Fifty pounds or imprisonment for six months for any offence against or contravention of the Regulations or of any condition of any licence.