



ANNO QUINTO

GEORGII V REGIS.

A.D. 1914.

No. 1156.

An Act Relating to the Distribution, Export, and Prices of Foodstuffs and other Commodities, and to compel the Supplying of Information in relation thereto.

[Assented to, September 24th, 1914.]

WHEREAS it is expedient, in view of the state of war at the present time existing in Europe, to make provision relating to the distribution, export, and prices of foodstuffs and other commodities, and to compel the supplying of information in relation thereto—Be it therefore Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Preamble.

1. This Act may be cited as "The Foodstuffs Commission Act, 1914."

Short title.

2. (1) This Act shall come into force on a day to be fixed by the Governor by proclamation published in the *Government Gazette*.

Commencement and termination of Act.

(2) This Act shall have no effect after the notification by the Governor in the *Government Gazette* of the signing, on behalf of the United Kingdom, of a treaty of peace terminating the war now existing in Europe.

3. In this Act, unless a contrary intention appears—

Definitions.

"Chief Secretary" means the Chief Secretary of the said State, or other the Minister of the Crown for the time being discharging the duties of the said Chief Secretary:

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“Foodstuffs and other commodities” means the goods specified in the first column of the Schedule to this Act, and such other additional goods as are from time to time prescribed by the Governor by regulation :

“Person” includes a firm or corporation :

“Regulation” means regulation made under this Act :

“The Commission” means the Commission appointed pursuant to this Act .

“Vessel” includes any ship, lighter, barge, boat, raft, or craft, of whatever description and however navigated.

Appointment of
Commission.

4. The Governor may appoint a Commission to investigate and from time to time report upon the distribution, export, and prices of foodstuffs and other commodities, and upon—

(a) the quantity and distribution thereof ;

(b) the probable requirements of the people of the said State in regard thereto ;

(c) any attempt by any person to engage in speculative dealings in, or to raise the prices of, foodstuffs and other commodities.

Returns to be supplied
to Commission.

5. (1) Every person having in his possession or control a quantity of any foodstuff or other commodity, being, in the case of any of the foodstuffs or other commodities specified in the first column of the Schedule to this Act, greater than the quantity specified opposite thereto in the second column of the said Schedule, or, in the case of any foodstuff or other commodity not specified in the first column of the said Schedule, greater than is prescribed with respect thereto by regulation, shall from time to time, upon being required by the Commission to furnish returns of such foodstuff or other commodity, within such time as is fixed by the Commission furnish such returns, in the form prescribed by regulation, to each of the following authorities, namely:—

(a) the Commission ; and

(b) such Commission, appointed by the Governor-General of the Commonwealth in Council, as is specified in the requisition by the Commission to furnish such returns ;

and any such person failing to so furnish returns shall be guilty of an offence against this Act and shall be liable to a penalty not exceeding One Thousand Pounds.

(2) A requisition by the Commission to furnish returns under this section shall be made by general notice published at least once in the *Government Gazette* and at least once in the daily newspapers known as *The Register*, *The Advertiser*, and *The Daily Herald*.

Furnishing false
returns.

6. Any person wilfully furnishing a false return under this Act shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding One Thousand Pounds, or to be imprisoned for any term not exceeding two years.

7. (1) On

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7. (1) On application made by or on behalf of the Chief Secretary, either at the time of the hearing of the information or subsequently, the Magistrate by whom any person is convicted of any offence under section 5 or section 6, may, in addition to imposing a penalty, adjudge the foodstuff or other commodity with respect to which such person failed to furnish a return or furnished a false return, or any part thereof, to be forfeited to the Crown, and the same shall thereupon absolutely vest in and become the property of the Crown.

Goods may be forfeited on failure of return, or false return.

(2) When any foodstuff or other commodity has been forfeited as aforesaid, it shall be lawful for any member of the Police Force, or any person thereunto authorised in writing by the Chief Secretary, with such (if any) assistants as he thinks necessary, at any time in the day or night, to enter into and search any premises or vessel, or part thereof, where such foodstuff or commodity, or any part thereof, is or is supposed to be, and, if necessary for that purpose, to break into and use force to enter such premises or vessel or part, and to break open and search any chests, trunks, packages, or other things in which such foodstuff or commodity, or part, is or is supposed to be, and to seize and take away the same.

(3) Any foodstuff or commodity seized under this Act may be taken to and be stored in any place provided by the Chief Secretary for the purpose, and may be sold or otherwise disposed of as he directs.

8. No proceedings for an offence against this Act shall be taken by any person whomsoever without the written consent of the Chief Secretary.

No proceedings without consent of Chief Secretary.

9. (1) The Governor may make all such regulations as are contemplated by the provisions of this Act, or as he deems necessary or convenient for the purposes of this Act, or for more effectually carrying out its objects, and may by any regulation prescribe a penalty for any breach of that or any other regulation.

Governor may make regulations.

(2) All regulations—

- (a) shall be published in the *Government Gazette* ;
- (b) from the date of such publication, or from a later date fixed by the order making the same, shall (subject to subsection (3) hereof) be of the same effect as if they were enacted by this Act ; and
- (c) shall be laid before both Houses of Parliament within fourteen days after such publication if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session of Parliament.

(3) If either House of Parliament passes a resolution disallowing any regulation, of which resolution notice has been given at any date within fourteen sitting days of such House after such regulation has been

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been laid before it, such resolution shall thereupon cease to have effect, but without affecting the validity or curing the invalidity of anything done, or of the omission of anything, in the meantime.

This subsection shall apply notwithstanding that the said fourteen sitting days, or some of them, do not occur in the same Session or Parliament as that in which the regulation is laid before such House.

(4) When a resolution has been passed as mentioned in subsection (3) hereof, notice of such resolution shall be published in the *Government Gazette*.

Summary proceedings
for offences.

10. (1) All proceedings in respect of offences against this Act shall be by information heard and determined in a summary way by a Special Magistrate, and shall be regulated by the Ordinance No. 6 of 1850, and any amendments thereof, or any other Act or Acts regulating summary proceedings before Justices of the Peace.

(2) All convictions and orders made by such Magistrate may be enforced as provided by the said Ordinance or any other such Act as aforesaid.

Appeal.

11. (1) There shall be an appeal from—

(a) any conviction by any Special Magistrate;

(b) any order of a Special Magistrate dismissing any information; or

(c) any other order made by a Special Magistrate

under this Act.

(2) Such appeal shall be to the Local Court of Adelaide in its Full Jurisdiction.

(3) The proceedings on such appeal shall be regulated by the Ordinance No. 6 of 1850, and any amendments thereof, or any other Act regulating appeals to Local Courts: Provided that the Local Court may make such order as to costs as it thinks fit, although such costs exceed Ten Pounds.

Special case.

12. (1) The Local Court upon the hearing of any such appeal may state a special case or cases for the opinion of the Supreme Court.

(2) The Supreme Court shall hear and decide any such special case according to the practice of the Supreme Court on special cases, and may make such order therein, including any order as to costs, as to the said Court appears just.

(3) The Supreme Court may send the special case back for amendment, or may itself amend the same.

(4) The

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(4) The Magistrate, or the Local Court, shall make an order in respect to the matters referred to the Supreme Court in conformity with the certificate of the Supreme Court, or of any Judge thereof.

(5) Such order of the Magistrate, or Local Court, may be enforced in manner provided by section 10 or otherwise by law.

13. Any moneys required for the purposes of this Act shall be paid out of moneys provided by Parliament for such purposes. Moneys for purposes of this Act.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

H. L. GALWAY, Governor.

Sec. 4.

THE SCHEDULE.

First Column.	Second Column.
Wheat	One hundred bushels.
Flour	One ton.
Oatmeal	One ton.
Rice	One ton.
Barley	One hundred bushels.
Pollard	One ton.
Bran	One ton.
Oats	One hundred bushels.
Maize	One hundred bushels.
Hay	Five tons.
Chaff	Five tons.
Straw	Five tons.
Potatoes	One ton.
Sugar	One ton.
Molasses and other Syrups	One ton.
Jam	Five hundred pounds.
Meat (Beef)	One hundred hundredweights.
“ (Mutton and Lamb)	One hundred hundredweights.
Bacon and Ham	Five hundred pounds.
Fish—Tinned and Preserved	Five hundred pounds.
Butter	Twenty hundredweights.
Condensed, Concentrated, and Powdered Milk ..	Five hundred pounds.
Cheese	Five hundredweights.
Tea	One hundred pounds.
Coffee	One hundred pounds.
Salt	Ten tons.
Tobacco—Leaf	One hundred pounds.
“ Manufactured, including Cigars and Cigarettes	One hundred pounds.
Kerosine	One thousand gallons.
Petrol	One thousand gallons.