

4 GEO. V. No. 4, 1913. *Sugar Cultivation Act.*

	£	s.	d.
(b) Youths, sixteen to eighteen years, with keep	1	4	0
Youths under sixteen years, with keep ...	0	16	0
(c) Old, infirm, or non able-bodied men and full-bred aborigines, with keep ...	1	4	0

3. Where remuneration does not include keep, the value of the keep shall be estimated at twelve shillings per week.

4. Overtime may be worked beyond forty-eight hours per week, provided the employee is willing, at the following minimum rates:—

	s.	d.
Adults, able-bodied	1	0 per hour.
Youths, sixteen to eighteen years ...	0	9 „
Youths under sixteen years ...	0	6 „
Full-bred aborigines	0	6 „

5. Half-caste aborigines shall be paid full rates for adult labour.

An Act to Prohibit the Employment of certain Forms of Labour in the Production of Sugar, and for other incidental purposes.

4 Geo. V.
No. 4.

THE SUGAR
CULTIVATION
ACT OF 1913.

[ASSENTED TO 25TH JULY, 1913.]

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 Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Sugar Cultivation Act of 1913*," and shall commence and take effect on and after the date of the commencement of the Act of the Parliament of the Commonwealth intituled the *Sugar Bounty Abolition Act 1912*.*

Short title and
commence-
ment of Act.

2. In this Act—

The expression "Certificate of having passed the dictation test" means a certificate under the hand of a State officer, authorised for that purpose by the Secretary for Agriculture, that, when the said officer has dictated to the person concerned not less than fifty words in such language as the Secretary for Agriculture may direct, such person has correctly written them out in that language in the presence of the said officer;

Interpreta-
tion.

* No. 26 of 1912. This Act was proclaimed to be in force on the 26th July, 1913.

The expression "Occupier" includes owner in fee-simple or for any less estate, and lessee for life or for any term of years or at will, and whether on the share system or otherwise, and any occupier under any form of tenancy or agreement whatever, whether express or implied, with the owner of the land ;

The expressions "Employer" and "Employee" have the same meanings as are respectively assigned to them by "*The Industrial Peace Act of 1912.*"*

Certain persons prohibited from growing sugar-cane.

3. After the passing of this Act, it shall be unlawful for any person who has not first obtained in the prescribed manner a certificate of having passed the dictation test to engage in or carry on the cultivation of sugar-cane upon any land within Queensland of which such person, whether individually or in partnership or association with others, is the occupier.

Any such person who acts in contravention of this section shall be liable to a penalty not exceeding one hundred pounds, and the crop of sugar-cane so being cultivated shall be liable to be forfeited to His Majesty by order of the court before which the offence is proved.

Certain persons not to be employed in sugar industry.

4. After the passing of this Act—

- (i.) Any employer who, either directly or indirectly or under any pretence or device, attempts to employ, or employs or authorises or permits to be employed, in or in connection with the industry of the cultivation of sugar-cane and the manufacture therefrom of sugar, any person who has not first obtained a certificate of having passed the dictation test ;
- (ii.) Any person who has not first obtained a certificate of having passed the dictation test who is employed in or in connection with such industry ;

shall be guilty of an offence, and shall be liable to the penalties following :—

- (a) In the case of an individual employer, to a penalty not exceeding five pounds for each day on which such employee is employed in contravention of this provision ;

* 3 Geo. V. No. 19, *supra*, page 5467.

1913.

Sugar Cultivation Act.

- (b) In the case of an employer which is a partnership, firm, or corporation, to a penalty not exceeding ten pounds for each day on which such employee is employed in contravention of this provision ;
- (c) In the case of an employee, to a penalty not exceeding forty shillings for each day on which he is employed in contravention of this provision.

5. Any person who, at the passing of this Act, is the occupier of land which is planted with sugar-cane or has been prepared for such planting, or has at any time within three years prior to the passing of this Act been so planted, and who within six months after the passing of this Act has attempted but failed to obtain a certificate of having passed the dictation test, may apply to the Land Court for compensation to be fixed by reason of the diminution in value of the land to him caused by the passing of this Act, and the Land Court shall assess and fix such diminution in value accordingly. In any such proceeding the claim shall be made against the Secretary for Agriculture as representing His Majesty.

Upon any such claim being made by a claimant, the Secretary for Agriculture may request the Land Court to assess and fix the value of the said land or interest therein, and the Land Court shall assess and fix the said value accordingly.

In such case the Secretary for Agriculture shall have the option either of paying to the claimant the amount of compensation so assessed and fixed or of acquiring on behalf of the Crown the estate held by the claimant in the land free from encumbrance at the value so assessed and fixed, and the land when so acquired shall become Crown land.

In other cases the Secretary for Agriculture shall pay to the claimant the amount of compensation so assessed and fixed by the Land Court.

6. For the purposes of this Act, the provisions of Part II. of "*The Land Act of 1910*,"* so far as the same are applicable, shall apply and be observed.

Application
of Land Act,
Part II.

7. The Governor in Council may from time to time, for the purposes of this Act, make regulations for the

Regulations.

* 1 Geo. V. No. 15, *supra*, page 1347.

examination and granting to persons certificates of having passed the dictation test, for the exemption from the operation of this Act of any person or classes of persons whom for any reason it is not considered necessary to examine, for the relief from the operation of this Act, wholly or in part, of persons who are owners of crops of sugar-cane actually planted but not harvested at the passing of this Act, and for prescribing rates of wages and conditions of employment for aboriginal natives of Australia who may be employed in the sugar industry, and the proportionate number of such natives who may be employed in the industry by any one employer, and for facilitating and authenticating the observance of the provisions of this Act.

All such regulations shall, upon publication in the *Gazette*, have the same effect as if they were enacted in this Act, and shall not be questioned in any proceedings whatsoever.

All such regulations shall be laid before both Houses of Parliament within forty days after such publication if Parliament is then sitting, or, if not, then within forty days after the commencement of the next session thereof.

Offences,
how tried.

8. All proceedings for offences against this Act may be had, taken, and determined in a summary way :

Provided that no proceedings for any offence against this Act shall be instituted except by the direction of the Attorney-General, Solicitor-General, or Minister of Justice.

Appropriation.

9. The expenses of carrying this Act into effect shall be defrayed out of moneys to be from time to time appropriated by Parliament for the purpose.
