



BILLE SIUICRE (IOMPORTAIL DO RIALU), 1936.
SUGAR (CONTROL OF IMPORT) BILL, 1936.

Mar do tugadh isteach.
As introduced.

ARRANGEMENT OF SECTIONS.

Section.

1. Definitions.
2. Prohibition orders.
3. Effect and duration of prohibition orders.
4. Prohibition of importation contrary to a prohibition order.
5. Contents of prohibition order.
6. Effect of prohibition order on quota order.
7. Issue of licences by the Minister.
8. Revocation of licences.
9. Repayment of licence fee on exported sugar.
10. Penalty for contravention of conditions.
11. Collection and disposal of fees.
12. Expenses.
13. Short title.

SAORSTÁT EIREANN.

BILLE SIUICRE (IOMPORTAIL DO RIALU), 1936.
SUGAR (CONTROL OF IMPORT) BILL, 1936.

BILL

entitled

5

AN ACT TO MAKE PROVISION FOR RESTRICTING AND
CONTROLLING THE IMPORTATION OF SUGAR.

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT
EIREANN AS FOLLOWS:—

Definitions.

1.—In this Act—

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the expression “ the Minister ” means the Minister for Industry
and Commerce;

the expression “ the Company ” means Cómhlucht Siúicre Eireann,
Teoranta.

Prohibition
orders.

2.—(1) The Executive Council may, at any time and from time 15
to time, by order (in this Act referred to as a prohibition order)
prohibit the importation into Saorstát Eireann during a specified
period (beginning after the date of such order) of sugar, not manu-
factured or produced in Saorstát Eireann, save under and in
accordance with a licence in that behalf granted under this Act. 20

(2) The Executive Council may, by order, whenever they so
think proper, amend or revoke a prohibition order.

Effect and
duration of
prohibition
orders.

3.—(1) Subject to the provisions of the next following sub-
section of this section, every prohibition order shall cease to
have effect at the expiration of six months from the date thereof 25
unless it is approved of by Dáil Eireann by resolution passed
before the expiration of the said six months.

(2) Whenever a prohibition order has either—

(a) been revoked by the Executive Council before it has
been approved of by Dáil Eireann, or 30

(b) has ceased, by virtue of the foregoing sub-section of
this section, to have effect,

any prohibition order made within six months after such revoca-
tion or cesser (as the case may be) shall have no operation or
effect unless or until it has been approved of by resolution 35
passed by Dáil Eireann, and shall, if and when so approved of,
have effect only as on and from the day on which it is so approved
of or such later date (if any) as may be specified in that behalf
in such order.

Prohibition of
importation
contrary to
a prohibition
order.

4.—(1) It shall not be lawful for any person to import into 40
Saorstát Eireann any sugar in contravention of a prohibition
order.

(2) Sugar the importation of which is unlawful by virtue of
this section shall be deemed to be included among the goods 45
enumerated and described in the Table of Prohibitions and
Restrictions Inwards contained in section 42 of the Customs
Consolidated Act, 1876, and the provisions of that Act (as

amended or extended by subsequent Acts) relating to the importation of prohibited or restricted goods shall apply accordingly.

5.—The Executive Council may, in and by a prohibition order, do all or any of the following things, that is to say:—

Contents of prohibition order.

- 10 (a) exempt from the prohibition effected by such order sugar of any particular description, whether identified by reference to the quality, nature, or other characteristic of such sugar or by reference to the purposes for which or the manner or the circumstances in which such sugar is imported, or by reference to any other matter or thing;
- 15 (b) effect any such exemption as is mentioned in the next preceding paragraph of this sub-section either directly or by way of an authorisation to the Minister or to the Revenue Commissioners;
- 20 (c) attach to any such exemption any specified limitation or condition, whether as to quantity, time, proof, or otherwise, and in particular a condition requiring the Minister or the Revenue Commissioners to be satisfied of specified matters before the exemption takes effect;
- 25 (d) give to the Minister or to the Revenue Commissioners power, duty, or jurisdiction to determine whether particular quantities or descriptions of sugar are or are not entitled to the benefit of any particular such exemption;
- 30 (e) authorise the Minister or the Revenue Commissioners to impose conditions (whether precedent or subsequent) to be complied with by persons claiming or receiving the benefit of any such exemption.

6.—(1) In this section—

Effect of prohibition order on quota order.

the expression "the said Act" means the Control of Imports Act, 1934 (No. 12 of 1934);

35 the expression "quota order" means an order made by the Executive Council under the said Act which is a quota order within the meaning of the said Act.

40 (2) Every prohibition order shall operate and have effect to revoke, as from the commencement of the period to which the prohibition of importation effected by such prohibition order applies, every quota order which is in force at the commencement of the said period and relates to sugar to which the said prohibition of importation applies, but such revocation shall not—

- (a) prejudice or affect any licence issued under the said Act before the date of such prohibition order, or
- 45 (b) notwithstanding anything contained in the said Act, prevent the Executive Council from making at any time a quota order in respect of such sugar to take effect after the expiration of the said period.

7.—(1) Whenever a prohibition order has been made, the Minister may, if and whenever he thinks proper so to do, on the application of the Company, issue to the Company a licence to import, during the period to which the prohibition of importation effected by such prohibition order applies, a specified quantity of a specified kind of sugar to which such prohibition of importation applies.

Issue of licences by the Minister.

(2) The Minister may attach to any licence issued under this section such conditions as he shall think proper and shall specify in such licence and in particular conditions relating to all or any of the following matters, that is to say:—

(a) the times within which and the places at which sugar may be imported under such licence; 5

(b) limiting such licence to sugar manufactured or produced in a specified country; 2

(c) limiting such licence to sugar consigned from a particular country; 10

(d) the manner in which and the routes by which sugar imported under such licence shall be brought to Saorstát Eireann.

(3) Every licence issued under this section shall operate to authorise the Company to import into Saorstát Eireann sugar in accordance with the terms of such licence, but subject to due compliance by the Company with the law for the time being in force in relation to the importation of sugar and, in particular, to the payment of duties of Customs (if any) chargeable on such importation. 15 20

(4) There shall be charged by the Minister and paid by the Company to the Minister on every licence issued under this section such fees as the Minister may from time to time with the consent of the Minister for Finance appoint, and different fees may be fixed by the Minister in respect of licences relating to different descriptions or quantities of sugar. 25

Revocation
of licences.

8.—(1) The Minister may, at any time, revoke any licence issued by him under this Act.

(2) Whenever the Minister revokes a licence issued by him under this Act the Minister shall— 30

(a) if no sugar has been imported under such licence before the revocation thereof, repay to the Company the whole of the fee paid by the Company on the issue of such licence, and

(b) if part of the sugar to which such licence relates has been imported under such licence before the revocation thereof, repay to the Company such part of the fee paid by the Company on the issue of such licence as is, in the opinion of the Minister, proportionate to the amount of sugar to which such licence relates which is prevented by such revocation from being imported under such licence. 35 40

Repayment of
licence fee
on exported
sugar.

9.—Where the Minister is satisfied that any sugar imported under a licence issued under this Act has, subsequent to such importation, either been exported from Saorstát Eireann or been used in the manufacture in Saorstát Eireann of any other article of food which is subsequently exported, the Minister may, if he so thinks fit and subject to compliance by the exporter with such conditions as he may think fit to impose, pay to the exporter of such sugar or article (as the case may be) such part of the fee paid by the Company on the issue of such licence as is, in the opinion of the Minister, proportionate to the amount of the sugar to which such licence relates which is so exported or used. 45 50

Penalty for
contravention of
conditions.

10.—If any person does any act (whether of commission or omission) which is a contravention of a condition— 55

(a) imposed by a prohibition order, or

(b) imposed by the Minister or the Revenue Commissioners under an authority in that behalf conferred by a prohibition order, or

5 (c) attached to a licence granted under this Act or to an exemption under a prohibition order,

such person shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds.

10 **11.**—(1) All fees payable under this Act shall be collected and taken in such manner as the Minister for Finance shall from time to time direct and shall be paid into or disposed of for the benefit of the Exchequer in accordance with the direction of the said Minister. Collection and disposal of fees.

(2) The Public Offices Fees Act, 1879, shall not apply in respect of any fees payable under this Act. 15

12.—All expenses incurred by the Minister in the execution of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas. Expenses.

20 **13.**—This Act may be cited as the Sugar (Control of Import) Act, 1936. Short title.

Saorstát Éireann.

Saorstát Éireann.

BILLE SIUICRE (IOMPORTAIL DO
RIALU), 1936.

SUGAR (CONTROL OF IMPORT) BILL,
1936.

BILLE

(mar do tugadh isteach)

dá ngairmtear

Acht chun soeruithe do dhéanamh chun iompor-
tála siúicere do shrianadh agus do rialú.

BILL

(as introduced)

entitled

An Act to make provision for restricting and
controlling the importation of sugar.

An tAire Tionnscail agus Tráchtála do thug
isteach.

Introduced by the Minister for Industry and
Commerce.

Do hordúíodh, ag Dáil Éireann, do chló-
bhualadh 26adh Feabhra, 1936.

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