

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and ~~read~~ a first time

(Primary Industries and Energy)

A BILL

FOR

An Act to impose a charge on certain meat premises

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Domestic Meat Premises Charge Act 1993*.

5 Commencement

2. This Act commences, or is taken to have commenced, on 1 January 1994.

Interpretation

3. In this Act, unless the contrary intention appears:

“**abattoir**” has the same meaning as in the *Meat Inspection Act 1983*;

“**accredited killing or processing plant**” means:

(a) a killing or processing plant that: 5

(i) is located in a State or Territory, other than the Australian Capital Territory; and

(ii) under a law of the State or Territory is registered, licensed or otherwise approved or authorised to operate as a killing or processing plant; or 10

(b) a killing or processing plant located in the Australian Capital Territory that is prescribed by the regulations for the purposes of this definition; or

(c) any other premises prescribed by the regulations for the purposes of this definition; 15

“**accredited operator**”, in relation to an accredited killing or processing plant that, under a law of a State or Territory (other than the Australian Capital Territory), is registered, licensed or otherwise approved or authorised to operate in the name of a person, means—that person;

“**animal food processing plant**” has the same meaning as in the *Meat Inspection Act 1983*; 20

“**charge criteria**” has the meaning given by section 5;

“**charge day**” means the day in relation to which charge is imposed in respect of a killing or processing plant under section 6;

“**killing or processing plant**” means an abattoir, knackery, meat processing plant or animal food processing plant; 25

“**knackery**” has the same meaning as in the *Meat Inspection Act 1983*;

“**meat processing plant**” has the same meaning as in the *Meat Inspection Act 1983*.

Act to bind Crown 30

4. This Act binds the Crown in right of each of the States, of the Australian Capital Territory, of the Northern Territory and of Norfolk Island.

Charge criteria

5. A killing or processing plant satisfies the charge criteria on a day if, on that day: 35

(a) it is an accredited killing or processing plant; and

(b) it is located in a State or Territory to which the *Meat Inspection Act 1983* extends; and

- (c) it is not an establishment within the meaning of the *Export Inspection and Meat Charges Collection Act 1985*.

Imposition of charge

6. If:

- 5 (a) on a day after 31 December 1993 in a financial year, a killing or processing plant satisfies the charge criteria; and
 (b) charge is not already imposed in relation to the plant because of the application of this section in relation to an earlier day in the financial year;
- 10 charge is imposed in relation to the plant.

Amount of charge—financial years after 1993/94 financial year

7.(1) If the charge day is 1 July in any financial year that begins on or after 1 July 1994, the amount of the charge is such amount as is prescribed by the regulations in relation to the financial year.

15 (2) The amount prescribed must not exceed:

- (a) in the case of an abattoir—\$40,000.00; or
 (b) in the case of a meat processing plant—\$5,000.00; or
 (c) in the case of a knackery—\$1,000.00; or
 (d) in the case of an animal food processing plant—\$1,000.00.

20 (3) If the charge day is any day, other than 1 July, in any financial year that begins on or after 1 July 1994, the amount of the charge is worked out using the formula:

$$\text{Full year charge} \times \frac{\text{Charging days}}{365}$$

where:

- 25 “Full year charge” means the amount prescribed under subsection (1) in relation to the financial year in which the charge day occurs;
 “Charging days” means the number of days in the period from the beginning of the charge day until the end of the financial year.

Amount of charge—1993/94 financial year

30 8.(1) If the charge day is 1 January 1994, the amount of the charge is such amount as is prescribed by the regulations in relation to the financial year ending on 30 June 1994.

(2) The amount prescribed must not exceed:

- (a) in the case of an abattoir—\$20,000.00; or
 35 (b) in the case of a meat processing plant—\$5,000.00; or

(c) in the case of a knackery—\$1,000.00; or

(d) in the case of an animal food processing plant—\$1,000.00.

(3) If the charge day is any day after 1 January 1994 and before 1 July 1994, the amount of the charge is worked out using the formula:

$$\text{Half year charge} \times \frac{\text{Charging days}}{183}$$

where:

“Half year charge” means the amount prescribed under subsection (1);

“Charging days” means the number of days in the period from the beginning of the charge day until the end of 30 June 1994.

By whom charge payable

9. The charge is payable by:

(a) if there is an accredited operator of the killing or processing plant—that person; or

(b) in any other case—the owner of the killing or processing plant.

Regulations

10.(1) The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Without limiting the generality of subsection (1), the regulations may make provision:

(a) exempting particular kinds of abattoirs, animal food processing plants, knackeries or meat processing plants; or

(b) prescribing different amounts of charge for the purposes of subsection 7(1) or 8(1), not exceeding the amounts in subsection 7(2) or 8(2) as the case may be, for different kinds of abattoirs, animal food processing plants, knackeries or meat processing plants.

