

1985-86-87

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 18 March 1987

(Minister for Primary Industry)

A BILL

FOR

An Act to impose a levy on certain hens kept for egg production

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

Short title

5 1. This Act may be cited as the *Egg Industry Research (Hen Quota) Levy Act 1987*.

Commencement

2. This Act shall commence on 1 July 1987.

Collection Act to be read as one with this Act

10 3 The *Egg Industry Research (Hen Quota) Levy Collection Act 1987* is incorporated, and shall be read as one, with this Act.

Interpretation

4 In this Act, unless the contrary intention appears:

“hen” means a female domesticated fowl;

“hen quota licence” means a licence (however described) issued under a law of a State or Territory that entitles the holder to keep hens (whether at a particular place or otherwise) that do not exceed number the hen quota specified in the licence; 5

“laying hen” means a hen kept for the production of eggs for human consumption;

“levy” means levy imposed by this Act; 10

“producers organisation” means the organisation known as the Australian Council of Egg Producers.

Egg production in Northern Territory

5. Where the Minister, by notice in writing published in the *Gazette*, makes a declaration stating that the Government of the Northern Territory has informed the Minister that, on 1 July in a specified year: 15

(a) a person specified in the declaration should be deemed to be the holder of a hen quota licence issued under a law of the Northern Territory; and

(b) a number specified in the declaration should be deemed to be the hen quota specified in that licence; 20

then, for the purposes of this Act:

(c) that person shall be deemed to be the holder, on 1 July in that year, of a hen quota licence issued under a law of the Northern Territory; and 25

(d) the number referred to in paragraph (b) shall be taken to be the hen quota specified in that licence.

Egg production in Australian Capital Territory

6. (1) Subsection (2) does not apply unless the law of the Australian Capital Territory ceases to provide for hen quota licences. 30

(2) Where the Minister, by notice in writing published in the *Gazette*, makes a declaration that the Minister administering the Department that deals with the administration of the Australian Capital Territory has informed the first-mentioned Minister that, on 1 July in a specified year:

(a) a person specified in the declaration should be deemed to be the holder of a hen quota licence issued under a law of the Australian Capital Territory; and 35

(b) a number specified in the declaration should be deemed to be the hen quota specified in that licence;

then, for the purposes of this Act: 40

(c) that person shall be deemed to be the holder, on 1 July in that year, of a hen quota licence issued under a law of the Australian Capital Territory; and

- (d) the number referred to in paragraph (b) shall be taken to be the hen quota specified in that licence.

Laying hens kept

5 7. (1) For the purposes of this Act, a person shall not be taken to keep laying hens on 1 July in a year unless the person is the holder of a hen quota licence on that day.

10 (2) For the purposes of this Act, the holder of a hen quota licence or licences on 1 July in a year shall be deemed to keep on that day the number of laying hens, and no more or less than the number of laying hens, equal to the hen quota specified in the licence or the sum of the hen quotas specified in the licences.

Imposition of levy

8. On 1 July in each year, levy is imposed in respect of laying hens kept on that day.

15 **By whom levy payable**

9. Levy imposed in respect of laying hens kept on 1 July in a year is payable by the person keeping the hens on that day.

Rate of levy

20 10. The rate of levy in respect of a laying hen is such amount, not exceeding 10 cents, as is prescribed.

Regulations

11. (1) The Governor-General may make regulations for the purposes of section 10.

25 (2) The producers organisation may make recommendations to the Minister with respect to regulations to be made for the purposes of section 10.

30 (3) The power of the Governor-General to make regulations for the purposes of section 10 shall be exercised only on advice of the Executive Council, being advice that has taken into consideration any relevant recommendation made to the Minister by the producers organisation.

Termination of Act

12. If the law of any State ceases to provide for hen quota licences, this Act shall cease to have effect.

