

1985

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

Presented and read a first time, 20 March 1985

(*Minister for Primary Industry*)

A BILL

FOR

An Act to amend the *Live-stock Slaughter Levy Act 1964*, and for related purposes

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

Short title, &c.

5 **1.** (1) This Act may be cited as the *Live-stock Slaughter Levy Amendment Act 1985*.

 (2) The *Live-stock Slaughter Levy Act 1964*¹ is in this Act referred to as the Principal Act.

Commencement

10 **2.** (1) The provisions of this Act, other than sub-section 11 (2), shall come into operation on the day fixed by Proclamation for the purposes of sub-section 2 (2) of the *Australian Meat and Live-stock Research and Development Corporation Act 1985*.

 (2) Sub-section 11 (2) shall come into operation on a day to be fixed by Proclamation, being a day after the day referred to in sub-section (1).

Interpretation

3. Section 4 of the Principal Act is amended by inserting after the definition of "live-stock" in sub-section (1) the following definition:

" 'Research and Development Corporation' means the Australian Meat and Live-stock Research and Development Corporation established by section 4 of the *Australian Meat and Live-stock Research and Development Corporation Act 1985*;"

Rate of levy on slaughter of cattle

4. Section 6 of the Principal Act is amended—

- (a) by adding at the end of paragraph (1) (b) "and";
- (b) by omitting paragraph (1) (c);
- (c) by omitting from sub-section (2) "50 cents" and substituting "\$1.08"; and
- (d) by omitting from sub-section (2) ", (b) and (c) shall not exceed \$3.00" and substituting "and (b) shall not exceed \$6.00".

Rate of levy on slaughter of sheep

5. Section 6A of the Principal Act is amended—

- (a) by omitting paragraphs (1) (b) and (c) and substituting the following word and paragraph:
"and (b) such amount per head of sheep slaughtered as is prescribed for the purposes of this paragraph.";
- (b) by omitting from sub-section (2) "64" and substituting "14"; and
- (c) by omitting from sub-section (2) ", (b) and (c) shall not exceed 30 cents" and substituting "and (b) shall not exceed 60 cents".

Rate of levy on slaughter of lambs

6. Section 6B of the Principal Act is amended—

- (a) by omitting paragraphs (1) (b) and (c) and substituting the following word and paragraph:
"and (b) such amount per head of lambs slaughtered as is prescribed for the purposes of this paragraph.";
- (b) by omitting from sub-section (2) "64" and substituting "14"; and
- (c) by omitting from sub-section (2) ", (b) and (c) shall not exceed 30 cents" and substituting "and (b) shall not exceed 67 cents".

Rate of levy on slaughter of buffaloes

7. Section 6C of the Principal Act is amended—

- (a) by adding at the end of paragraph (1) (b) "and";
- (b) by omitting paragraph (1) (c);
- (c) by omitting from sub-section (2) "50 cents" and substituting "\$1.08"; and
- (d) by omitting from sub-section (2) ", (b) and (c) shall not exceed \$3.00" and substituting "and (b) shall not exceed \$6.00".

Rate of levy on slaughter of goats

8. Section 6D of the Principal Act is amended—

(a) by omitting paragraphs (1) (b) and (c) and substituting the following word and paragraph:

5 “and (b) such amount per head of goats slaughtered as is prescribed for the purposes of this paragraph.”;

(b) by omitting from sub-section (2) “6½” and substituting “14”; and

(c) by omitting from sub-section (2) “, (b) and (c) shall not exceed 30 cents” and substituting “and (b) shall not exceed 60 cents”.

10 **Rate of levy on slaughter of calves**

9. Section 6E of the Principal Act is amended—

(a) by adding at the end of paragraph (1) (b) “and”;

(b) by omitting paragraph (1) (c);

15 (c) by omitting from sub-section (2) “17.5” and substituting “38”; and

(d) by omitting from sub-section (2) “, (b) and (c) shall not exceed \$1.05” and substituting “and (b) shall not exceed \$2.10”.

Rate of levy on slaughter of bobby calves

10. Section 6F of the Principal Act is amended—

(a) by adding at the end of paragraph (1) (b) “and”;

20 (b) by omitting paragraph (1) (c);

(c) by omitting from sub-section (2) “5” and substituting “11”; and

(d) by omitting from sub-section (2) “, (b) and (c) shall not exceed 30 cents” and substituting “and (b) shall not exceed 60 cents”.

Regulations

25 **11. (1)** Section 8 of the Principal Act is amended—

(a) by omitting from sub-section (2A) “Australian Meat Research Committee” and substituting “Research and Development Corporation”; and

30 (b) by omitting from sub-section (4) “6 (1) (c), 6A (1) (b), 6A (1) (c), 6B (1) (b), 6B (1) (c), 6C (1) (b), 6C (1) (c), 6D (1) (b), 6D (1) (c), 6E (1) (b), 6E (1) (c), 6F (1) (b) or 6F (1) (c), the Australian Meat Research Committee” and substituting “6A (1) (b), 6B (1) (b), 6C (1) (b), 6D (1) (b), 6E (1) (b) or 6F (1) (b), the Research and Development Corporation”.

35 **(2)** Section 8 of the Principal Act is amended—

(a) by omitting from sub-section (2A) “any” and substituting “the”; and

(b) by omitting sub-section (4) and substituting the following sub-sections:

40 “(4) The Research and Development Corporation shall not make a recommendation to the Minister in relation to regulations to be made for the purposes of paragraph 6 (1) (b), 6A (1) (b), 6B (1) (b), 6C (1) (b), 6D (1) (b), 6E (1) (b) or 6F (1) (b)—

- (a) if a motion that the terms of the recommendation be endorsed has not been put before the annual general meeting of the industry convened under section 22 of the *Australian Meat and Live-stock Research and Development Corporation Act 1985* that last preceded the making of that recommendation; or 5
- (b) in a case where such a motion is so put—if, by virtue of the application of sub-section 27 (5) of the *Australian Meat and Live-stock Research and Development Corporation Act 1985*, the motion is defeated.

“(5) The Research and Development Corporation shall, at the time of making a recommendation to the Minister of the kind referred to in sub-section (4), give the Minister particulars in writing of the voting in respect of the motion that the terms of the recommendation be endorsed.”. 10

Transitional

12. (1) Where, by virtue of regulations in force under the Principal Act as in force immediately before the day on which this section comes into operation, an amount was prescribed for the purposes of paragraph (b) of a relevant provision of the Principal Act as so in force and an amount was prescribed for the purposes of paragraph (c) of that provision of the Principal Act as so in force, the regulations prescribing an amount for the purposes of paragraph (b) of that provision of the Principal Act as so in force continue in force, on and after that day, until regulations prescribing an amount for the purposes of paragraph (b) of that provision of the Principal Act as amended by this Act come into operation, as if— 15 20 25

- (a) those first-mentioned regulations had been made under and in accordance with the Principal Act as amended by this Act; and
- (b) the amount prescribed for the purposes of paragraph (b) of that provision of the Principal Act as so amended were an amount equal to the total of the amounts that had been so prescribed for the purposes of paragraphs (b) and (c) of that provision of the Principal Act as so in force. 30

(2) In sub-section (1), “relevant provision”, in relation to the Principal Act or the Principal Act as amended by this Act, means sub-section 6 (1), 6A (1), 6B (1), 6C (1), 6D (1), 6E (1) or 6F (1) of that Act, or of that Act as so amended, as the case may be. 35

NOTE

1. No. 8, 1964, as amended. For previous amendments, see No. 76, 1965; No. 93, 1966; No. 140, 1968; No. 87, 1971; No. 216, 1973; No. 111, 1974; No. 42, 1976; No. 70, 1977; No. 179, 1978; No. 73, 1979; No. 82, 1982; and No. 60, 1984.