

1990-91-92

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 25 June 1992

*(Parliamentary Secretary to the Minister for Defence)*

## A BILL

FOR

### An Act to amend the *Oilseeds Levy Act 1977*, to change the way the levy is calculated

The Parliament of Australia enacts:

#### Short title, etc.

1.(1) This Act may be cited as the *Oilseeds Levy Amendment Act 1992*.

5 (2) In this Act, “Principal Act” means the *Oilseeds Levy Act 1977*<sup>1</sup>.

#### Commencement

2. This Act commences, or is taken to have commenced (as the case requires), on 1 October 1992.

#### Interpretation

10 3. Section 4 of the Principal Act is amended:

(a) by omitting from subsection (1) the definition of “exempt weight” and substituting the following definition:

“‘leviable amount’, in relation to a levy year, means:

(a) \$50; or

- (b) if, before the commencement of the levy year, another amount is prescribed in relation to that year, that prescribed amount;”;
- (b) by adding at the end of subsection (1) the following definition: “‘value’ means the value as worked out in accordance with the regulations.”. 5

**Rate of levy**

4. Section 6 of the Principal Act is repealed and the following section is substituted:

“6.(1) The rate of levy is: 10

- (a) 1% of the value of the leviable oilseeds; or
- (b) if a different rate is prescribed under section 9—that different rate.

“(2) The prescribed rate must not be more than 3% of the value of the leviable oilseeds.”. 15

5. Section 8 of the Principal Act is repealed and the following section is substituted:

**Exemption from levy**

“8.(1) If, in a levy year: 20

- (a) leviable oilseeds are delivered to a particular person by producers of the oilseeds; and
- (b) apart from this subsection, the amount of levy in respect of the oilseeds would be less than the leviable amount;

levy is not imposed on the oilseeds.

“(2) If: 25

- (a) leviable oilseeds are processed by or for the producer of the oilseeds; and
- (b) the producer uses the oilseeds, or all of the products and by-products of the processing, for domestic purposes or on the producer’s farm; 30

levy is not imposed on the oilseeds.

“(3) If, in a levy year:

- (a) a producer processes leviable oilseeds that he or she has produced; and
- (b) paragraph (2)(b) does not apply in respect of the oilseeds; and 35
- (c) apart from this subsection, the amount of levy in respect of the oilseeds would be less than the leviable amount;

levy is not imposed on the oilseeds.”.

**Regulations**

6. Section 9 of the Principal Act is amended by omitting from paragraph (2)(a) “exempt weight” and substituting “leviable amount”.

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**NOTE**

1. No. 112, 1977, as amended. For previous amendments, see No. 16, 1990; and No. 26, 1991.



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