

ARTHUR ROBINSON & WEDDERBICKS
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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time

(Primary Industries and Energy)

**PRIMARY INDUSTRIES LEVIES AND CHARGES
(CONSEQUENTIAL AMENDMENTS) BILL 1995**

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1993-94-95

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 make consequential amendments relating to the
Primary Industries Levies Act 1995 and the *Primary
Industries Charges Act 1995*, and for other purposes**

The Parliament of Australia enacts:

Short title

1. This Act may be cited as the *Primary Industries Levies and Charges (Consequential Amendments) Act 1995*.

5 Commencement

2.(1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.

(2) Subject to subsection (3), the following provisions of this Act commence on 1 July 1996:

*Primary Industries Levies and Charges
(Consequential Amendments) No. , 1995*

- (a) section 4;
 (b) the Schedules (other than item 26 of Schedule 1 and items 2, 3 and 20 of Schedule 14).

(3) If the *Audit (Transitional and Miscellaneous) Amendment Act 1995* commences on 1 July 1996, Schedule 8 to this Act commences immediately after the commencement of that Act.

5

Amendments

3. The Acts specified in the Schedules are amended in accordance with the applicable items in the Schedules, and the other items in the Schedules have effect according to their terms.

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Repeal of Levy Acts and Charge Acts

4.(1) The Acts specified in column 1 of the following table are repealed.

(2) The repeal of an Act specified in a box in column 1 of the table applies as set out in the opposite box in column 2.

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Column 1	Column 2
Each of these Acts is repealed	The repeal applies to . . .
<i>Apple and Pear Levy Act 1976</i>	fruit: (a) sold by the producer; or (b) used by the producer; on or after 1 August 1988
<i>Apple and Pear Export Charge Act 1976</i>	fruit exported on or after 1 August 1988
<i>Beef Production Levy Act 1990</i>	the slaughter of cattle on or after 1 July 1996
<i>Cattle Export Charges Act 1990</i>	the export of cattle on or after 1 July 1996
<i>Cattle Transaction Levy Act 1995</i>	any of the following events, if the event takes place on or after 1 July 1996: (a) a transaction by which the ownership of cattle is transferred; (b) the delivery of cattle to a processor; (c) the slaughter of cattle by a processor

TABLE—continued

<i>Coarse Grains Levy Act 1992</i>	leviable coarse grain produced on or after 1 July 1996
<i>Cotton Levy Act 1982</i>	leviable cotton produced on or after 1 July 1996
<i>Dairying Industry Research and Promotion Levy Act 1972</i>	whole milk, and butter fat, produced on or after 1 July 1986
<i>Dairy Produce Levy (No. 1) Act 1986</i>	<ul style="list-style-type: none"> (a) in the case of the market milk levy—relevant dairy produce processed, on or after 1 July 1996, as liquid milk for human consumption; (b) in the case of the manufacturing milk levy—relevant dairy produce: <ul style="list-style-type: none"> (i) delivered to a manufacturer by the producer on or after 1 July 1996; or (ii) produced by a manufacturer and used by the manufacturer, on or after 1 July 1996, in the manufacture of dairy produce; (c) in the case of the acquisition offset levy—dairy produce acquired on or after 1 July 1996; (d) in the case of the Corporation levy, the promotion levy or the research levy—relevant dairy produce produced on or after 1 July 1996
<i>Dairy Produce Levy (No. 2) Act 1986</i>	dairy products imported on or after 1 July 1996
<i>Deer Export Charge Act 1992</i>	deer exported on or after 1 July 1996
<i>Deer Slaughter Levy Act 1992</i>	slaughter of deer on or after 1 July 1996
<i>Deer Velvet Export Charge Act 1992</i>	deer velvet exported on or after 1 July 1996

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TABLE—continued

<i>Deer Velvet Levy Act 1992</i>	deer velvet: (a) sold by the producer; or (b) used by or on behalf of the producer in the production of other goods; on or after 1 July 1996
<i>Dried Fruits Levy Act 1971</i>	dried fruits received on or after 1 July 1996
<i>Dried Vine Fruits Equalization Levy Act 1978</i>	dried fruit produced on or after 1 January 1991
<i>Egg Industry Research (Hen Quota) Act 1987</i>	laying hens kept on or after 1 July 1988
<i>Forest Industries Research Export Charge Act 1993</i>	logs exported on or after 1 July 1996
<i>Forest Industries Research Import Charge Act 1993</i>	forest products imported on or after 1 July 1996
<i>Forest Industries Research Levy Act 1993</i>	logs delivered to a mill on or after 1 July 1996
<i>Goat Fibre Levy Act 1989</i>	leviable fibre produced on or after 1 July 1996
<i>Grain Legumes Levy Act 1985</i>	leviable grain legumes produced on or after 1 July 1996
<i>Grape Research Levy Act 1986</i>	prescribed goods delivered to a processing establishment on or after 1 July 1996
<i>Honey Export Charge Act 1973</i>	honey exported on or after 1 July 1996
<i>Honey Levy Act (No. 1) 1962</i>	honey sold on or after 1 July 1996
<i>Honey Levy Act (No. 2) 1962</i>	honey used by a person in the production of other goods on or after 1 July 1996
<i>Horticultural Export Charge Act 1987</i>	chargeable horticultural products exported on or after 1 July 1996

TABLE—continued

<i>Horticultural Levy Act 1987</i>	leviable horticultural products: (a) sold by the producer; or (b) used by the producer in the production of other goods; on or after 1 July 1996
<i>Laying Chicken Levy Act 1988</i>	laying chickens hatched on or after 1 July 1996
<i>Live-stock Export Charge Act 1977</i>	livestock exported from Australia on or after 1 July 1996
<i>Live-stock Slaughter Levy Act 1964</i>	the slaughter of livestock on or after 1 July 1996
<i>Meat Chicken Levy Act 1969</i>	meat chickens hatched on or after 1 July 1996
<i>National Residue Survey (Aquatic Animal Export) Levy Act 1992</i>	aquatic animals, and aquatic animal products, exported on or after 1 July 1996
<i>National Residue Survey (Cattle Export) Levy Act 1995</i>	the export of cattle on or after 1 July 1996
<i>National Residue Survey (Cattle Transactions) Levy Act 1995</i>	any of the following events, if the event takes place on or after 1 July 1996: (a) a transaction by which the ownership of cattle is transferred; (b) the delivery of cattle to a processor; (c) the slaughter of cattle by a processor
<i>National Residue Survey (Coarse Grains) Levy Act 1992</i>	leviable coarse grain produced on or after 1 July 1996
<i>National Residue Survey (Dried Fruits) Levy Act 1992</i>	dried fruits received on or after 1 July 1996

Primary Industries Levies and Charges
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TABLE—continued

<i>National Residue Survey (Game Animals) Levy Act 1992</i>	the processing at a processing establishment of game animals on or after 1 July 1996
<i>National Residue Survey (Grain Legumes) Levy Act 1992</i>	leviable grain legumes produced on or after 1 July 1996
<i>National Residue Survey (Honey Export) Levy Act 1992</i>	honey exported on or after 1 July 1996
<i>National Residue Survey (Honey) Levy Act 1992</i>	honey: (a) sold; or (b) used by a person in the production of other goods; on or after 1 July 1996
<i>National Residue Survey (Horse Slaughter) Levy Act 1992</i>	the slaughter of horses on or after 1 July 1996
<i>National Residue Survey (Horticultural Products Export) Levy Act 1992</i>	chargeable horticultural products exported on or after 1 July 1996
<i>National Residue Survey (Horticultural Products) Levy Act 1992</i>	leviable horticultural products: (a) sold by the producer; or (b) used by the producer in the production of other goods; on or after 1 July 1996
<i>National Residue Survey (Laying Chicken) Levy Act 1992</i>	laying chickens hatched on or after 1 July 1996
<i>National Residue Survey (Livestock Slaughter) Levy Act 1992</i>	the slaughter of livestock on or after 1 July 1996
<i>National Residue Survey (Meat Chicken) Levy Act 1992</i>	meat chickens hatched on or after 1 July 1996

TABLE—continued

<i>National Residue Survey (Oilseeds) Levy Act 1992</i>	leviable oilseeds produced on or after 1 July 1996
<i>National Residue Survey (Wheat) Levy Act 1992</i>	wheat: (a) delivered by the producer to another person; or (b) processed by or for the producer; on or after 1 July 1996
<i>Oilseeds Levy Act 1977</i>	leviable oilseeds produced on or after 1 July 1996
<i>Pasture Seed Levy Act 1989</i>	leviable seed certified under a certification scheme on or after 1 July 1996
<i>Pig Slaughter Levy Act 1971</i>	the slaughter of pigs on or after 1 July 1996
<i>Poultry Industry Levy Act 1965</i>	hens kept for commercial purposes on or after 1 July 1987
<i>Rice Levy Act 1991</i>	leviable rice delivered to a processor on or after 1 July 1996
<i>Sugar Cane Levy Act 1987</i>	sugar cane accepted on or after 1 July 1996 at a sugar mill for processing
<i>Wheat Industry Fund Levy Act 1989</i>	wheat: (a) delivered by the producer to another person; or (b) processed by or for the producer; on or after 1 July 1996
<i>Wine Grapes Levy Act 1979</i>	prescribed goods used at a winery on or after 1 July 1996 in the manufacture of wine

SCHEDULE 1

Section 3

**PRIMARY INDUSTRIES LEVIES AND CHARGES COLLECTION
ACT 1991**

1. Title

Omit all the words after “**collection of**”, substitute “**levies imposed by regulations under the *Primary Industries Levies Act 1995* and the collection of charges imposed by regulations under the *Primary Industries Charges Act 1995*”.**

2. Subsection 4(1) (definitions of *associated Act* and *forest industries levy or charge*):

Omit the definitions.

3. Subsection 4(1) (definition of *charge*):

Omit the definition, substitute:

“***charge*** means charge imposed by regulations under the *Primary Industries Charges Act 1995*.”.

4. Subsection 4(1) (definition of *feedlot operator*):

Omit “within the meaning of the *Cattle Transaction Levy Act 1995*, *Beef Production Levy Act 1990* or the *Cattle Export Charge Act 1990*”, substitute “or buffalo”.

5. Subsection 4(1) (definition of *levy*):

Omit the definition, substitute:

“***levy*** means levy imposed by regulations under the *Primary Industries Levies Act 1995*.”.

6. Subsection 4(1) (paragraph (b) of the definition of *prescribed goods or services*):

Omit “subsection 6(2) of the *Horticultural Levy Act 1987*, be presumed to have been produced in Australia”, substitute “on horticultural products, be presumed to have been produced in circumstances ascertained in accordance with regulations made for the purposes of section 20 of the *Primary Industries Levies Act 1995*”.

7. Subsection 4(1) (definition of *producer*):

Omit the definition, substitute:

“***producer***, in relation to a collection product, means the person who is liable to pay the levy or charge imposed on the product.

Note 1: To identify the person who is liable to pay a particular levy, see the relevant regulations under the *Primary Industries Levies Act 1995*.

Note 2: To identify the person who is liable to pay a particular charge, see the relevant regulations under the *Primary Industries Charges Act 1995*.”.

SCHEDULE 1—continued

8. Subsection 4(1) (definition of *product*):

Omit the definition, substitute:

“***product*** means an animal product or a plant product (whether or not the animal product or plant product has been processed or treated).”

9. Subsection 4(1):

Insert:

“***animal*** means any member, alive or dead, of the animal kingdom (other than a human being).

animal product means:

- (a) an animal; or
- (b) any part of an animal; or
- (c) anything produced by an animal; or
- (d) anything wholly or principally produced from, or wholly or principally derived from, an animal.

cattle means bovine animals other than buffalo.

forest operations includes the production, growing or raising of forest products.

forest products means:

- (a) logs; or
- (b) such other products as are described in Chapter 44 of Schedule 3 to the *Customs Tariff Act 1987* and specified in the regulations.

horticulture means the production, growing or raising of horticultural products.

horticultural products has the same meaning as in the *Australian Horticultural Corporation Act 1987*.

logs means logs that have not undergone any form of processing other than:

- (a) debarking; or
- (b) any other process specified in the regulations.

plant means any member, alive or dead, of the plant kingdom, and includes fungi.

plant product means:

- (a) a plant; or
- (b) any part of a plant; or
- (c) anything produced by a plant; or
- (d) anything wholly or principally produced from, or wholly or principally derived from, a plant.

produce of a primary industry means products that result from any of the following (whether or not the products have been processed or treated):

SCHEDULE 1—continued

- (a) agriculture or the cultivation of land;
- (b) the maintenance of animals for commercial purposes;
- (c) forest operations;
- (d) fishing;
- (e) hunting or trapping;
- (f) horticulture;
- (g) any other primary industry activity.

treated, in relation to a plant product, includes pulped or juiced.”.

10. Subsection 4(2):

Omit the subsection, substitute:

“(2) For the purposes of this Act, if a feedlot operator buys cattle from a person who is liable to pay a prescribed levy imposed on the cattle, the operator is taken to be a first purchaser of the cattle.”.

11. Subsection 4(4):

Omit the subsection.

12. Subsection 5(1):

After “States” insert “, of the Australian Capital Territory, of the Northern Territory”.

13. Subsection 7(2A):

Omit “by the *Cattle Transaction Levy Act 1995*”.

14. Subsection 7(3) (note):

Omit the note.

15. Subsection 7(3A) (note):

Omit the note.

16. Subsections 8(3), (4) and (4A):

Omit the subsections, substitute:

“(3) If levy is imposed on an animal in the event of the slaughter of the animal, the regulations may provide that the proprietor of an abattoir may refuse to:

- (a) slaughter the animal at the abattoir; or
- (b) permit the slaughter of the animal at the abattoir;

unless the producer of the animal first provides the proprietor with the funds necessary for the due payment, on behalf of the producer, of levy payable in relation to the animal.

SCHEDULE 1—continued

“(4) Regulations made for the purposes of subsection (3) have effect despite:

- (a) any law of a State or Territory; or
- (b) any contract, whether entered into before or after the commencement of this subsection.”.

17. Subsection 8(5):

After “Where” insert “levy is imposed on pigs and”.

18. Subsection 10(7):

Omit “forest industries levy or charge” (wherever occurring), substitute “levy or charge imposed on forest products”.

19. Subsection 11(8):

Omit “forest industries levy or charge” (wherever occurring), substitute “levy or charge imposed on forest products”.

20. Subsection 24A(1):

Omit “by the *Beef Production Levy Act 1990*”.

21. Section 24A (note):

Omit the note.

22. Section 24A:

Add at the end:

“(5) In this section:

cold carcass weight means the weight of a carcass weighed 2 hours or more after slaughter.

hot carcass weight means the weight of a carcass weighed within 2 hours after slaughter.

weighing period, in relation to a carcass, means the period ascertained in accordance with the regulations.”.

23. Subsection 28(9) (paragraphs (b), (c), (d) and (e) of the definition of relevant decision):

Omit the paragraphs, substitute:

- “(b) a decision under regulations under the *Primary Industries Charges Act 1995*; or
- (c) a decision under regulations under the *Primary Industries Levies Act 1995*.”.

SCHEDULE 1—continued

24. Schedules 1 and 2:

Repeal the Schedules.

25. Transitional—pre-commencement levies and charges

Despite the amendments of the *Primary Industries Levies and Charges Collection Act 1991* made by this Schedule (other than item 12), that Act continues to apply, in relation to:

- (a) a charge, as defined by subsection 4(1) of that Act as in force immediately before the commencement of this item; or
- (b) a levy, as defined by subsection 4(1) of that Act as in force immediately before the commencement of this item;

as if those amendments had not been made.

26. Transitional—maximum rate regulations and declarations

(1) For the purposes of the operation of sections 4 and 5, subsections 12(1), (3) and (4) and sections 13, 14, 15, 19 and 21 of the *Primary Industries Charges Act 1995* before 1 July 1996, this Schedule has effect as if it had commenced on the day on which that Act received the Royal Assent.

(2) For the purposes of the operation of sections 4 and 5, subsections 12(1), (3) and (4) and sections 13, 14, 15, 19 and 22 of the *Primary Industries Levies Act 1995* before 1 July 1996, this Schedule has effect as if it had commenced on the day on which that Act received the Royal Assent.

SCHEDULE 2

Section 3

**PRIMARY INDUSTRIES AND ENERGY RESEARCH AND
DEVELOPMENT ACT 1989**

1. Subsection 4(1) (paragraph (a) of the definition of *research component*):

Before "*Wheat Industry Fund Levy Act 1989*" insert "repealed".

2. Subsection 4(1) (definition of *tobacco levy*):

Omit the definition.

3. Subsection 4(1):

Insert:

"*forest products* has the same meaning as in the *Primary Industries Levies and Charges Collection Act 1991*."

4. Subsections 5(4) and (5):

Before "*Wheat Industry Fund Levy Act 1989*" insert "repealed".

5. Subsection 25(4):

Omit "on forest products under the *Forest Industries Research Import Charge Act 1993*", substitute "by regulations under the *Primary Industries Charges Act 1995* in respect of the import of forest products".

6. Subsection 31(4):

Omit "levy payable under the *Forest Industries Research Levy Act 1993* and the *Forest Industries Research Export Charge Act 1993*", substitute "eligible forest levies".

7. Section 31:

Add at the end:

"(5) In subsection (4):

eligible forest levy means:

- (a) levy imposed on forest products by regulations under the *Primary Industries Levies Act 1995*; or
- (b) charge imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of forest products; or
- (c) levy payable under the repealed *Forest Industries Research Levy Act 1993*; or
- (d) charge payable under the repealed *Forest Industries Research Export Charge Act 1993*."

SCHEDULE 1—continued

8. Subsection 32(1):

Omit “subsections (3) and (4)”, substitute “subsection (4)”.

9. Subsection 32(3):

Omit the subsection.

10. Section 33A:

After “charge under the” insert “repealed”.

11. Section 33A:

Add at the end:

“(2) If charge imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the import of forest products is attached to an R&D Corporation established in respect of forest industries:

- (a) the proportion of the research component of the charge that is spent on R&D activities must be spent on R&D activities that are relevant to forest products of the kind on which the charge is imposed; and
- (b) the proportion referred to in paragraph (a) must not be less than the proportion of the total amounts of all the research components of levies attached to the Corporation and spent by the Corporation on R&D activities.”.

12. Subsection 110(1):

Omit “Subject to subsection (3), where”, substitute “If”.

13. Subsection 110(3):

Omit the subsection.

14. Application—operational plans

The amendments of section 25 of the *Primary Industries and Energy Research and Development Act 1989* made by this Schedule apply to an annual operational plan for the 1996-97 financial year or a later financial year.

SCHEDULE 3

Section 3

AUSTRALIAN HORTICULTURAL CORPORATION ACT 1987

1. Subsection 3(1) (definitions of *export charge*, *Export Charge Act*, *Export Charge Collection Act*, *levy*, *Levy Act* and *Levy Collection Act*):

Omit the definitions.

2. Subsection 3(1):

Insert:

“Board’s component of charge has the meaning given by section 115PA.
Board’s component of levy has the meaning given by section 115PB.

Corporation’s component of charge has the meaning given by section 46A.

Corporation’s component of levy has the meaning given by section 46B.

old Export Charge Act means the repealed *Horticultural Export Charge Act 1987*.

old Export Charge Collection Act means the repealed *Horticultural Export Charge Collection Act 1987*.

old Levy Act means the repealed *Horticultural Levy Act 1987*.

old Levy Collection Act means the repealed *Horticultural Levy Collection Act 1987*.”.

3. Before section 47:

Insert:

Corporation’s component of charge

“46A.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of horticultural products.

“(2) The regulations may declare:

(a) the whole of the charge; or

(b) the percentage of the charge ascertained in accordance with the regulations;

to be the Corporation’s component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.

Corporation’s component of levy

“46B.(1) This section applies if a levy is imposed on horticultural products by regulations under the *Primary Industries Levies Act 1995*.

SCHEDULE 3—continued

“(2) The regulations may declare:

(a) the whole of the levy; or

(b) the percentage of the levy ascertained in accordance with the regulations;

to be the Corporation’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

4. Before paragraph 47(1)(a):

Insert:

“(aaa) amounts received by the Commonwealth as the Corporation’s component of levy; and”.

5. Section 47:

Before “Levy Act” (wherever occurring) insert “old”.

6. Paragraph 47(1)(aa):

Before “(a)” insert “(aaa) or”.

7. Section 47:

Before “Levy Collection Act” (wherever occurring) insert “old”.

8. Before paragraph 47(2)(a):

Insert:

“(aaa) amounts received by the Commonwealth as the Corporation’s component of charge; and”.

9. Section 47:

Before “Export Charge Act” (wherever occurring) insert “old”.

10. Paragraph 47(2)(aa):

Before “(a)” insert “(aaa) or”.

11. Section 47:

Before “Export Charge Collection Act” (wherever occurring) insert “old”.

12. Paragraph 47(2A)(a):

After “under the” insert “repealed”.

13. Subsection 47(2A):

Before “*Honey Levy Act (No. 1) 1962*” (wherever occurring) insert “repealed”.

SCHEDULE 3—continued

14. Subsection 47(2A):

Before "*Honey Levy Act (No. 2) 1962*" (wherever occurring) insert "repealed".

15. Subsection 47(2A):

Before "*Honey Levy Collection Act 1962*" (wherever occurring) insert "repealed".

16. Paragraph 47(2A)(f):

Before "*Honey Export Charge Collection Act 1973*" insert "repealed".

17. After subsection 47(3):

Insert:

"(3A) The reference in paragraph (1)(aaa) to amounts received by the Commonwealth as the Corporation's component of levy includes a reference to:

- (a) amounts received by the Commonwealth under subsection 7(1) or (2) of the Levies and Charges Collection Act in relation to such a component of levy; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to such a component of levy."

18. After subsection 47(4):

Insert:

"(4A) The reference in paragraph (2)(aaa) to amounts received by the Commonwealth as the Corporation's component of charge includes a reference to:

- (a) amounts received by the Commonwealth under paragraph 7(3)(a) of the Levies and Charges Collection Act in relation to such a component of charge; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to such a component of charge."

19. Paragraph 47(5)(aa):

Omit "paragraph 7(3)(b)", substitute "paragraph 7(3)(a)".

20. Paragraphs 47(5A)(a) and (6A)(a):

Omit "(f)", substitute "(e)".

SCHEDULE 3—continued

21. Paragraphs 47A(1)(a) and (b):

After “of the” insert “old”.

22. Paragraphs 47A(2)(a) and (b):

After “of the” insert “old”.

23. Subparagraph 48(1)(aa)(i):

Before “(a)” (wherever occurring) insert “(aaa),”.

24. Before section 115Q:

Insert:

Board’s component of charge

“115PA.(1) This section applies if:

- (a) a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of horticultural products; and
- (b) a Product Board has been established in relation to any or all of those products.

“(2) The regulations may declare:

- (a) the whole of the charge; or
- (b) the percentage of the charge ascertained in accordance with the regulations;

to be the Board’s component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.

Board’s component of levy

“115PB.(1) This section applies if:

- (a) a levy is imposed on horticultural products by regulations under the *Primary Industries Levies Act 1995*; and
- (b) a Product Board has been established in relation to any or all of those products.

“(2) The regulations may declare:

- (a) the whole of the levy; or
- (b) the percentage of the levy ascertained in accordance with the regulations;

to be the Board’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

SCHEDULE 3—continued

25. Before paragraph 115Q(1)(a):

Insert:

- “(aa) amounts received by the Commonwealth as the Board’s component of levy;
- (ab) amounts received by the Commonwealth as the Board’s component of charge;
- (ac) amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act in relation to amounts of levy referred to in paragraph (aa);
- (ad) amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act in relation to amounts of charge referred to in paragraph (ab);”.

26. Section 115Q:

Before “Levy Act” (wherever occurring) insert “old”.

27. Section 115Q:

Before “Export Charge Act” (wherever occurring) insert “old”.

28. Section 115Q:

Before “Levy Collection Act” (wherever occurring) insert “old”.

29. Section 115Q:

Before “Export Charge Collection Act” (wherever occurring) insert “old”.

30. After subsection 115Q(4):

Insert:

“(4A) The reference in paragraph (1)(aa) to amounts received by the Commonwealth as the Board’s component of levy includes a reference to:

- (a) amounts received by the Commonwealth under subsection 7(1) or (2) of the Levies and Charges Collection Act in relation to that component of levy; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to that component of levy.”.

31. After subsection 115Q(5):

Insert:

“(5A) The reference in paragraph (1)(ab) to amounts received by the Commonwealth as the Board’s component of charge includes a reference to:

SCHEDULE 3—continued

- (a) amounts received by the Commonwealth under paragraph 7(3)(a) of the Levies and Charges Collection Act in relation to that component of charge; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to that component of charge.”.

32. Section 115Q:

Add at the end:

“(8) The reference in paragraph (1)(ac) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:

- (a) amounts received by the Commonwealth under paragraph 7(1)(e) or (2)(d) of that Act; and
- (b) amounts received by the Commonwealth under subsection 9(1) of that Act in respect of penalty payable under that Act; and
- (c) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in respect of penalty payable under that Act.

“(9) The reference in paragraph (1)(ad) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:

- (a) amounts received by the Commonwealth under paragraph 7(3)(b) of that Act; and
 - (b) amounts received by the Commonwealth under subsection 9(1) of that Act in respect of penalty payable under that Act; and
 - (c) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in respect of penalty payable under that Act.”.
-

SCHEDULE 4

Section 3

AUSTRALIAN WINE AND BRANDY CORPORATION ACT 1980

1. Subsection 4(1):

Insert:

“*Corporation’s component of wine grapes levy* has the meaning given by section 31L.

wine grapes levy means a levy imposed:

- (a) on prescribed goods used in the manufacture of wine; and
- (b) by regulations under the *Primary Industries Levies Act 1995*.”.

2. Subsection 29U(1) (definition of Levy Act):

Omit the definition.

3. Subsection 29U(2):

Omit “levy imposed under the Levy Act”, substitute “wine grapes levy”.

4. Subsection 29V(1):

After “liable to pay” insert “wine grapes”.

5. Subsection 29V(1):

Omit “under the Levy Act”.

6. Subsection 29Z(1):

After “the amount of the” insert “wine grapes”.

7. Subsection 29Z(1):

Omit “under the Levy Act”.

8. Section 29ZA:

Omit “subsection 9(2) of the Levy Act”, substitute “section 22 of the *Primary Industries Levies Act 1995*”.

9. Before section 32:

Insert:

Corporation’s component of wine grapes levy

“31L.(1) This section applies to a wine grapes levy.

SCHEDULE 4—continued

“(2) The regulations may declare:
 (a) the whole of the levy; or
 (b) the percentage of the levy ascertained in accordance with the regulations;
 to be the Corporation’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

10. Before paragraph 32(a):

Insert:

“(aa) amounts received by the Commonwealth as the Corporation’s component of wine grapes levy; and
 (ab) so much of the amounts (if any) received by the Commonwealth under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* as is attributable to non-payment of the Corporation’s component of wine grapes levy; and”.

11. Paragraphs 32(a) and (b):

Before “*Wine Grapes Levy Act 1979*” insert “repealed”.

12. Paragraphs 32(a) and (b):

Omit “6(1)(g)”, substitute “6(1)(b)”.

13. Paragraph 32(b):

After “section 5 of the” insert “repealed”.

14. Section 33:

After “section 7 of the” insert “repealed”.

15. Section 33:

Omit “6(1)(g)”, substitute “6(1)(b)”.

16. Section 33:

Before “*Wine Grapes Levy Act 1979*” insert “repealed”.

17. Section 33:

Add at the end:

“(2) If:

(a) a refund is made by the Commonwealth under section 18 of the *Primary Industries Levies and Charges Collection Act 1991* in respect of an amount; and

SCHEDULE 4—continued

(b) the amount has been paid or overpaid to the Commonwealth by way of the Corporation's component of wine grapes levy; the Corporation must pay to the Commonwealth an amount equal to the amount of the refund.”.

18. Subparagraph 35(ab)(i):

Before “(a)” insert “(aa), (ab),”.

19. Subsection 39ZL(1):

After “imposed by the” insert “repealed”.

20. Subsection 39ZL(1):

Before “*Grape Research Levy Act 1986*” insert “repealed”.

21. After subsection 39ZL(1):

Insert:

“(1A) For the purpose of assisting, and achieving administrative savings in connection with, the collection and calculation of wine grapes levy, the Corporation may, with the consent of a wine manufacturer, give relevant information about the manufacturer to a Department of the Commonwealth with responsibilities relating to the levy. For this purpose, *relevant information about a manufacturer* is information kept by, or held on behalf of, the manufacturer that is obtained by the Corporation under this Part or under section 42.”.

22. Subsection 39ZL(2):

After “(1)” insert “or (1A)”.

23. Transitional—pre-commencement liability to levy

Despite the amendments of Part IVB of the *Australian Wine and Brandy Corporation Act 1980* made by this Schedule, that Part of that Act continues to apply, in relation to levy imposed by the *Wine Grapes Levy Act 1979*, as if those amendments had not been made.

SCHEDULE 5

Section 3

**HORTICULTURAL RESEARCH AND DEVELOPMENT
CORPORATION ACT 1987**

1. Subsection 3(1) (definitions of *Export Charge Act* and *Levy Act*):

Omit the definitions.

2. Subsection 3(1):

Insert:

“*Corporation’s component of levy* has the meaning given by section 44A.
Corporation’s component of charge has the meaning given by section 44B.
old Export Charge Act means the repealed *Horticultural Export Charge Act 1987*.

old Export Charge Collection Act means the repealed *Horticultural Export Charge Collection Act 1987*.

old Levy Act means the repealed *Horticultural Levy Act 1987*.

old Levy Collection Act means the repealed *Horticultural Levy Collection Act 1987*.”.

3. Before section 45:

Insert:

Corporation’s component of levy

“44A.(1) This section applies if a levy is imposed on horticultural products by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

(a) the whole of the levy; or

(b) the percentage of the levy ascertained in accordance with the regulations;

to be the Corporation’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.

Corporation’s component of charge

“44B.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of horticultural products.

“(2) The regulations may declare:

(a) the whole of the charge; or

SCHEDULE 5—continued

(b) the percentage of the charge ascertained in accordance with the regulations;
to be the Corporation's component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

4. Before paragraph 45(1)(a):

Insert:

“(aaa) amounts received by the Commonwealth as the Corporation's component of levy; and”.

5. Section 45:

Before “Levy Act” (wherever occurring) insert “old”.

6. Paragraph 45(1)(aa):

Before “(a)” insert “(aaa) or”.

7. Section 45:

Before “Levy Collection Act” (wherever occurring) insert “old”.

8. Section 45:

Before “Export Charge Act” (wherever occurring) insert “old”.

9. Before paragraph 45(2)(a):

Insert:

“(aaa) amounts received by the Commonwealth as the Corporation's component of charge; and”.

10. Paragraph 45(2)(aa):

Before “(a)” insert “(aaa) or”.

11. Section 45:

Before “Export Charge Collection Act” (wherever occurring) insert “old”.

12. After subsection 45(3):

Insert:

“(3A) The reference in paragraph (1)(aaa) to amounts received by the Commonwealth as the Corporation's component of levy includes a reference to:

SCHEDULE 5—continued

- (a) amounts received by the Commonwealth under subsection 7(1) or (2) of the Levies and Charges Collection Act in relation to such a component of levy; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to such a component of levy.”.

13. After subsection 45(4):

Insert:

“(4A) The reference in paragraph (2)(aaa) to amounts received by the Commonwealth as the Corporation’s component of charge includes a reference to:

- (a) amounts received by the Commonwealth under paragraph 7(3)(a) of the Levies and Charges Collection Act in relation to such a component of charge; and
- (b) amounts received by the Commonwealth by virtue of an agreement entered into under section 10 or 11 of that Act in relation to such a component of charge.”.

14. Paragraph 45(5A)(a):

Omit “7(1)(f)”, substitute “7(1)(e)”.

15. Paragraphs 45A(1)(a) and (b):

After “of the” insert “old”.

16. Paragraphs 45A(2)(a) and (b):

After “of the” insert “old”.

17. Paragraph 46(3)(a):

Omit “45(1)(a) and (2)(a)”, substitute “45(1)(aaa) and (a) and (2)(aaa) and (a)”.

18. Subsection 46(3):

Before “Levy Collection Act” insert “old”.

19. Subsection 46(3):

Before “Export Charge Collection Act” insert “old”.

20. Subparagraph 47(1)(aa)(i):

Omit the subparagraph, substitute:

SCHEDULE 5—continued

“(i) the collection or recovery of amounts referred to in paragraph 45(1)(aaa), (a), (aa) or (b) or (2)(aaa), (a), (aa) or (b); or”.

SCHEDULE 6

Section 3

WHEAT MARKETING ACT 1989

1. Paragraph 81(a):

After “section” insert “83C or”.

2. Subparagraph 82(1)(d)(ii):

After “section” insert “83C or”.

3. Subsection 82(2) (definition of levy):

Omit the definition, substitute:

“*levy* means:

- (a) levy imposed on wheat by regulations under the *Primary Industries Levies Act 1995*; or
- (b) penalty payable under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* in relation to levy mentioned in paragraph (a); or
- (c) levy within the meaning of Division 2 of Part 6A.”.

4. Part 7 (heading):

Omit the heading, substitute:

“PART 6A—PAYMENTS TO BOARD”.

5. Before section 84:

Insert:

**“Division 1—Payments attributable to levy imposed by regulations
under the Primary Industries Levies Act 1995**

Definition

“83A. In this Division:

Wheat Industry Fund’s component of levy has the meaning given by section 83B.

Wheat Industry Fund’s component of levy

“83B.(1) This section applies if a levy is imposed on wheat by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

- (a) the whole of the levy; or

SCHEDULE 6—continued

(b) the percentage of the levy ascertained in accordance with the regulations;
to be the Wheat Industry Fund's component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.

Payments to Board

“83C.(1) There is to be paid to the Board amounts equal to:

- (a) amounts received by the Commonwealth as the Wheat Industry Fund's component of levy; and
- (b) amounts received by the Commonwealth by way of penalty under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of levy.

“(2) Amounts payable under subsection (1) are payable out of the Consolidated Revenue Fund, which is appropriated accordingly.

“Division 2—Payments attributable to levy imposed by the repealed Wheat Industry Fund Levy Act 1989”.

6. Section 84:

Omit “Part”, substitute “Division”.

7. Section 84 (paragraphs (a) and (b) of the definition of levy):

After “the” insert “repealed”.

8. Section 84 (paragraph (c) of the definition of levy):

Add at the end “, in so far as that amount relates to levy imposed by the repealed *Wheat Industry Fund Levy Act 1989*”.

9. Section 84 (definition of value):

After “as in the” insert “repealed”.

10. Before section 88:

Insert:

“PART 7—MISCELLANEOUS”.

SCHEDULE 7

Section 3

PIG INDUSTRY ACT 1986

1. Section 4:

Insert:

“*Corporation’s component of levy* has the meaning given by section 22A.”.

2. Paragraph 7(1)(d):

Omit the paragraph.

3. Subsection 7(2):

Omit “paragraph (1)(d), the Corporation shall consult the eligible industry bodies, and a recommendation to the Minister for the purposes of that paragraph”, substitute “section 22 of the *Primary Industries Levies Act 1995*, the Corporation must consult the eligible industry bodies, and a recommendation for the purposes of that section”.

4. Before section 23:

Insert:

Corporation’s component of levy

“22A.(1) This section applies to a levy if the levy is imposed:

- (a) on the slaughter at an abattoir of pigs for sale for human consumption; and
- (b) by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

- (a) the whole of the levy; or
- (b) the percentage of the levy ascertained in accordance with the regulations;

to be the Corporation’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

5. Subsection 23(1):

Omit all the words after “amounts”, substitute:

“equal to:

- (a) the amounts of levy received by the Commonwealth by virtue of paragraph 6(1)(b) of the repealed *Pig Slaughter Levy Act 1971*; and
- (b) amounts received by the Commonwealth as the Corporation’s component of levy.”.

6. Subsection 23(2):

Omit “subsection (1)”, substitute “paragraph (1)(a)”.

SCHEDULE 7—continued

7. Paragraphs 23(2)(a) and (b):

Omit “that subsection”, substitute “paragraph (1)(a) of this section”.

8. Paragraph 23(2)(b):

After “section 6 of the” insert “repealed”.

9. Section 23:

Add at the end:

“(3) The reference in paragraph (1)(b) to amounts received by the Commonwealth as the Corporation’s component of levy includes a reference to:

- (a) amounts received under subsection 7(1) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to the Corporation’s component of levy; and
 - (b) amounts payable by way of penalty under section 15 of that Act in relation to the Corporation’s component of levy.”.
-

SCHEDULE 8

Section 3

NATIONAL CATTLE DISEASE ERADICATION RESERVE ACT 1991

1. Section 3:

Insert:

“*cattle* means bovine animals other than buffalo.

Reserve’s component of charge has the meaning given by section 4A.

Reserve’s component of levy has the meaning given by section 4B.”.

2. After section 4:

Insert:

Reserve’s component of charge

“4A.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of cattle or buffalo.

“(2) The regulations may declare:

(a) the whole of the charge; or

(b) the percentage of the charge ascertained in accordance with the regulations;

to be the Reserve’s component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.

Reserve’s component of levy

“4B.(1) This section applies if a levy is imposed on cattle or buffalo by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

(a) the whole of the levy; or

(b) the percentage of the levy ascertained in accordance with the regulations;

to be the Reserve’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

3. Before paragraph 5(1)(a):

Insert:

“(aaa) amounts equal to the amounts received by the Commonwealth by way of the Reserve’s component of charge; and

(aab) amounts equal to the amounts received by the Commonwealth by way of the Reserve’s component of levy; and”.

SCHEDULE 8—continued

4. Paragraphs 5(1)(a) and (aa):

Before “*Live-stock Slaughter Levy Act 1964*” insert “repealed”.

5. Paragraphs 5(1)(b) and (ba):

Before “*Live-stock Export Charge Act 1977*” insert “repealed”.

6. Paragraph 5(1)(bb):

Before “*Cattle Transaction Levy Act 1990*” insert “repealed”.

7. Paragraph 5(1)(bc):

Before “*Cattle Transaction Levy Act 1995*” insert “repealed”.

8. Paragraph 5(1)(bd):

Before “*Cattle Export Charges Act 1990*” insert “repealed”.

9. Subsection 5(2):

Before “(a)” insert “(aaa), (aab),”.

10. Add at the end:

Regulations

“7. The Governor-General may make regulations for the purposes of sections 4A and 4B.”.

Note: This Schedule assumes that, when the Schedule commences, the amendments of the *National Cattle Disease Eradication Trust Account Act 1991* made by the *Audit (Transitional and Miscellaneous) Amendment Act 1995* have already commenced.

SCHEDULE 9

Section 3

NATIONAL RESIDUE SURVEY ADMINISTRATION ACT 1992

1. Title:

Omit “and to provide for the collection of National Residue Survey Levy imposed by various Acts”.

2. Section 4 (definition of *National Residue Survey Levy*):

Omit the definition, substitute:

“*National Residue Survey Levy* means:

- (a) a levy imposed by regulations under the *Primary Industries Levies Act 1995*; or
- (b) a charge imposed by regulations under the *Primary Industries Charges Act 1995*;

where the levy or charge is declared by regulations under this Act to be a National Residue Survey Levy.”.

3. Section 4 (definitions of *Related Act* and *Table*):

Omit the definitions.

4. Section 5:

Repeal the section.

5. Part 4:

Repeal the Part.

6. Schedule:

Repeal the Schedule.

7. Transitional—pre-commencement levies

(1) Despite the amendments of the *National Residue Survey Administration Act 1992* made by this Schedule, that Act continues to apply, in relation to National Residue Survey Levy (as defined by section 4 of that Act as in force immediately before the commencement of this item), as if those amendments had not been made.

(2) Despite the amendments made by this Schedule and Schedule 1, the *Primary Industries Levies and Charges Collection Act 1991* continues to apply, in relation to National Residue Survey Levy (as defined by section 4 of the *National Residue Survey Administration Act 1992* as in force immediately before the commencement of this item), as if those amendments had not been made.

SCHEDULE 10

Section 3

TOBACCO CHARGE ACT (NO. 1) 1955

1. Subsection 4(1):

After “this Act” insert “and before 1 July 1996”.

SCHEDULE 11

Section 3

TOBACCO CHARGE ACT (NO. 2) 1955

1. Subsection 5(1):

After “this Act” insert “and before 1 July 1996”.

SCHEDULE 12

Section 3

TOBACCO CHARGE ACT (NO. 3) 1955

1. Paragraph 4(b):

After "this Act" insert "and before 1 July 1996".

SCHEDULE 13

Section 3

TOBACCO CHARGES ASSESSMENT ACT 1955**1. Paragraph 13(a):**

Omit "year", substitute "financial year earlier than the financial year beginning on 1 July 1996".

2. Subsection 40(1):

After "times" insert "before 1 October 1996".

3. Subsection 40(1):

Add at the end "However, this rule does not apply if the company began to carry on such a business on or after 1 July 1996.".

4. Subsection 40(2):

Add at the end "If the company began to carry on such a business on or after 1 July 1996, this subsection does not require the company to appoint a public officer. If the company began to carry on such a business before 1 July 1996, this subsection does not require the company to keep the office of the public officer filled at any time on or after 1 October 1996.".

SCHEDULE 14

Section 3

MEAT AND LIVE-STOCK INDUSTRY ACT 1995

1. Section 7:

Insert:

“*Council’s component of levy* has the meaning given by section 42A.

Council’s component of charge has the meaning given by section 42B.”.

2. Subparagraphs 23(2)(d)(i), (ii), (iii), (iv) and (v):

Omit the subparagraphs, substitute:

“(i) under the *Primary Industries Levies Act 1995*, where the regulations relate to a levy on live-stock; or

(ii) under the *Primary Industries Charges Act 1995*, where the regulations relate to a charge on live-stock;”.

3. Paragraphs 25(2)(a), (b), (c), (d) and (e):

Omit the paragraphs, substitute:

“(a) under the *Primary Industries Levies Act 1995*, where the regulations relate to a levy on live-stock; or

(b) under the *Primary Industries Charges Act 1995*, where the regulations relate to a charge on live-stock.”.

4. Before section 43:

Insert:

Council’s component of levy

“42A.(1) This section applies if a levy is imposed on live-stock by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

(a) the whole of the levy; or

(b) the percentage of the levy ascertained in accordance with the regulations;

to be the Council’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.

Council’s component of charge

“42B.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of live-stock.

SCHEDULE 14—continued

“(2) The regulations may declare:

- (a) the whole of the charge; or
- (b) the percentage of the charge ascertained in accordance with the regulations;

to be the Council’s component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

5. Before paragraph 43(1)(a):

Insert:

- “(aa) amounts received by the Commonwealth as the Council’s component of levy; and
- (ab) amounts received by the Commonwealth as the Council’s component of charge; and”.

6. Paragraphs 43(1)(a), (b), (c), (d) and (e):

After “of the” insert “repealed”.

7. After subsection 43(1):

Insert:

“(1A) A reference in paragraph (1)(aa) to amounts received by the Commonwealth as the Council’s component of levy includes a reference to:

- (a) amounts received under subsection 7(1) or (2) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of levy; and
- (b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of levy.

“(1B) A reference in paragraph (1)(ab) to amounts received by the Commonwealth as the Council’s component of charge includes a reference to:

- (a) amounts received under subsection 7(3) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of charge; and
- (b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of charge.”.

8. Subparagraph 44(c)(i):

Omit “43(1)(a)”, substitute “43(1)(aa), (ab), (a)”.

SCHEDULE 14—continued

9. Section 52:

Insert:

“*AMLC’s component of levy* has the meaning given by section 124A.
AMLC’s component of charge has the meaning given by section 124B.”.

10. Before section 125:

Insert:

AMLC’s component of levy

“124A.(1) This section applies if a levy is imposed on live-stock by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

(a) the whole of the levy; or

(b) the percentage of the levy ascertained in accordance with the regulations;

to be the AMLC’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.

AMLC’s component of charge

“124B.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of live-stock.

“(2) The regulations may declare:

(a) the whole of the charge; or

(b) the percentage of the charge ascertained in accordance with the regulations;

to be the AMLC’s component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

11. Before paragraph 125(1)(a):

Insert:

“(aa) amounts received by the Commonwealth as the AMLC’s component of levy; and

(ab) amounts received by the Commonwealth as the AMLC’s component of charge; and”.

12. Paragraphs 125(1)(a), (b), (c), (d) and (e):

After “of the” insert “repealed”.

SCHEDULE 14—continued

13. After subsection 125(1):

Insert:

“(1A) A reference in paragraph (1)(aa) to amounts received by the Commonwealth as the AMLC’s component of levy includes a reference to:

- (a) amounts received under subsection 7(1) or (2) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of levy; and
- (b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of levy.

“(1B) A reference in paragraph (1)(ab) to amounts received by the Commonwealth as the AMLC’s component of charge includes a reference to:

- (a) amounts received under subsection 7(3) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of charge; and
- (b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of charge.”.

14. Subparagraph 126(1)(b)(i):

Omit “125(1)(a)”, substitute “125(1)(aa), (ab), (a)”.

15. Section 165:

Insert:

“*MRC’s component of levy* has the meaning given by section 202A.
MRC’s component of charge has the meaning given by section 202B.”.

16. Before section 203:

Insert:

MRC’s component of levy

“202A.(1) This section applies if a levy is imposed on live-stock by regulations under the *Primary Industries Levies Act 1995*.

“(2) The regulations may declare:

- (a) the whole of the levy; or
- (b) the percentage of the levy ascertained in accordance with the regulations;

to be the MRC’s component of the levy for the purposes of this Act.

“(3) The declaration has effect accordingly.

SCHEDULE 14—continued

MRC's component of charge

“202B.(1) This section applies if a charge is imposed by regulations under the *Primary Industries Charges Act 1995* in respect of the export of live-stock.

“(2) The regulations may declare:

(a) the whole of the charge; or

(b) the percentage of the charge ascertained in accordance with the regulations;

to be the MRC's component of the charge for the purposes of this Act.

“(3) The declaration has effect accordingly.”.

17. Before paragraph 203(1)(a):

Insert:

“(aa) amounts received by the Commonwealth as the MRC's component of levy; and

(ab) amounts received by the Commonwealth as the MRC's component of charge; and”.

18. Paragraphs 203(1)(a), (b), (c), (d) and (e):

After “of the” insert “repealed”.

19. After subsection 203(2):

Insert:

“(2A) A reference in paragraph (1)(aa) to amounts received by the Commonwealth as the MRC's component of levy includes a reference to:

(a) amounts received under subsection 7(1) or (2) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of levy; and

(b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of levy.

“(2B) A reference in paragraph (1)(ab) to amounts received by the Commonwealth as the MRC's component of charge includes a reference to:

(a) amounts received under subsection 7(3) of the *Primary Industries Levies and Charges Collection Act 1991* in relation to such a component of charge; and

(b) amounts payable by way of penalty under section 15 of that Act in relation to such a component of charge.”.

SCHEDULE 14—continued

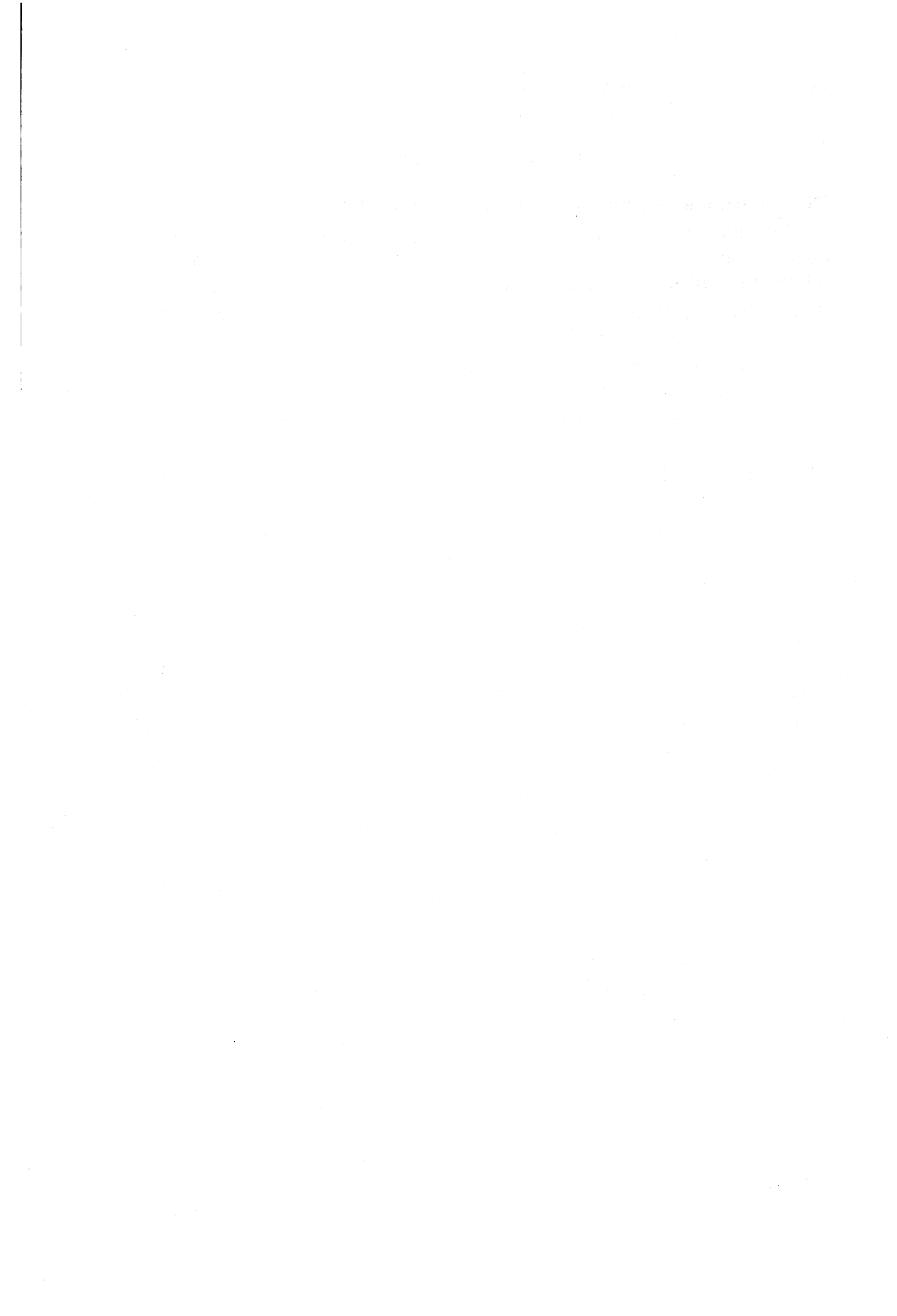
20. Transitional—general meetings of the industry

(1) Paragraph 23(2)(d) of the *Meat and Live-stock Industry Act 1995* has effect, in relation to a meeting that occurs before 1 July 1996, as if the following word and subparagraphs were added at the end of that paragraph:

- “; or (iii) prescribing amounts for the purposes of section 6A, 6B or 6D of the *Live-stock Slaughter Levy Act 1964*; or
- (iv) prescribing amounts for the purposes of section 8, 9 or 11 of the *Live-stock Export Charge Act 1977*; or
- (v) prescribing amounts for the purposes of section 6 of the *Beef Production Levy Act 1990*; or
- (vi) prescribing amounts for the purposes of section 6 or 6A (other than paragraphs (1)(d), (2)(d) and (3)(d)) of the *Cattle Export Charges Act 1990*; or
- (vii) prescribing amounts for the purposes of section 5 (other than paragraphs (1)(d) and (2)(d)) of the *Cattle Transaction Levy Act 1995*.”.

(2) Subsection 25(2) of the *Meat and Live-stock Industry Act 1995* has effect, in relation to a meeting that occurs before 1 July 1996, as if the following word and paragraphs were added at the end of that subsection:

- “; or (c) prescribing amounts for the purposes of section 6A, 6B or 6D of the *Live-stock Slaughter Levy Act 1964*; or
- (d) prescribing amounts for the purposes of section 8, 9 or 11 of the *Live-stock Export Charge Act 1977*; or
- (e) prescribing amounts for the purposes of section 6 of the *Beef Production Levy Act 1990*; or
- (f) prescribing amounts for the purposes of section 6 or 6A (other than paragraphs (1)(d), (2)(d) and (3)(d)) of the *Cattle Export Charges Act 1990*; or
- (g) prescribing amounts for the purposes of section 5 (other than paragraphs (1)(d) and (2)(d)) of the *Cattle Transaction Levy Act 1995*.”.





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