

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 25 October 1989

(*Minister for Primary Industries and Energy*)

A BILL

FOR

An Act to amend the *Wine Grapes Levy Act 1979*

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

Short title etc.

5 1. (1) This Act may be cited as the *Wine Grapes Levy Amendment Act 1989*.

 (2) In this Act, "**Principal Act**" means the *Wine Grapes Levy Act 1979*¹.

Commencement

2. This Act commences on 1 January 1990.

10 **Interpretation**

3. Section 4 of the Principal Act is amended by inserting after subsection (4) the following subsection:

15 “(4A) For the purposes of this Act, the number of tonnes in a quantity of prescribed goods that are not fresh grapes is to be taken to be the fresh grape equivalent of the goods.”.

Rate of levy

4. Sections 6 and 6A of the Principal Act are repealed and the following section is substituted:

Rate of levy

“6. (1) The levy imposed on prescribed goods used at a winery in a year is the sum of: 5

- (a) \$200; and
- (b) an amount at the rate of \$4.40, or such other amount, not exceeding \$8.80, as is prescribed, per tonne of the quantity of the goods that does not exceed 5,000 tonnes; and 10
- (c) an amount at the rate of \$1.30, or such other amount, not exceeding \$2.60, as is prescribed, per tonne of the quantity (if any) of the goods that exceeds 5,000 tonnes but does not exceed 10,000 tonnes; and
- (d) an amount at the rate of 60 cents, or such other amount, not exceeding \$1.20, as is prescribed, per tonne of the quantity (if any) of the goods that exceeds 10,000 tonnes but does not exceed 20,000 tonnes; and 15
- (e) an amount at the rate of 50 cents, or such other amount, not exceeding \$1, as is prescribed, per tonne of the quantity (if any) of the goods that exceeds 20,000 tonnes but does not exceed 40,000 tonnes; and 20
- (f) an amount at the rate of 40 cents, or such other amount, not exceeding 80 cents, as is prescribed, per tonne of the quantity (if any) of the goods that exceeds 40,000 tonnes; and 25
- (g) an amount at the rate of the research amount per tonne of the goods.

“(2) In this section:

‘research amount’ means \$1.50 or such other amount, not exceeding \$2, as is prescribed.”. 30

Exemptions from levy

5. Section 8 of the Principal Act is amended by omitting from subsection (1) “20” and substituting “10”.

Regulations

6. Section 9 of the Principal Act is amended: 35

- (a) by omitting from subsection (2) “the definition of ‘marketing amount’ in subsection 6 (2) or for the purposes of section 6A” and substituting “paragraph 6 (1) (b), (c), (d), (e) or (f)”;

- (b) by omitting subsection (4) and substituting the following subsection:

“(4) Before making regulations for the purposes of subsection 6 (1), the Governor-General is to consider: 40

- (a) relevant recommendations made under subsection (2); and

(b) relevant matters of which the Minister has been notified under section 29ZA of the Corporation Act.”;

(c) by omitting subsection (6) and substituting the following subsection:

5 “(6) Before making regulations for the purposes of subsection 6 (2), the Governor-General is to consider relevant recommendations made under subsection (5).”.

Application and transitional 1989-90

10 7. (1) Subject to subsection (3), the levy payable in respect of prescribed goods used at a winery during the 6 months commencing on 1 July 1989 is the levy that would be payable in respect of the goods if:

- (a) the amendments made by this Act had not been made; and
- (b) the reference in section 6A of the Principal Act to a year were a reference to those 6 months.

15 (2) Subject to subsection (3), the levy payable in respect of prescribed goods used at a winery during the 6 months commencing on 1 January 1990 is the levy that would be payable in respect of the goods if the reference in section 6 of the Principal Act as amended by this Act to a year were a reference to those 6 months.

20 (3) The amount of levy payable by a person in respect of prescribed goods used at a winery or wineries during the year commencing on 1 July 1989 is not to exceed what would have been the amount of that levy if the amendments made by this Act had come into operation on that date.

(4) A term used in subsection (1), (2) or (3) has the same meaning as in the Principal Act.

NOTE

1. No. 65, 1979, as amended. For previous amendments, see No. 162, 1980; and No. 61, 1986.

