

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 7 November 1990

*(Minister for Primary Industries and Energy)*

**A BILL**

FOR

**An Act to amend the *Wool Tax Act (No. 3) 1964*,  
and for related purposes**

The Parliament of Australia enacts:

**Short title etc.**

1. (1) This Act may be cited as the *Wool Tax (No. 3) Further Amendment Act 1990*.

5 (2) In this Act, “Principal Act” means the *Wool Tax Act (No. 3) 1964*.

**Commencement**

2. This Act is to be taken to have commenced on 4 October 1990.

**Imposition of tax**

10 3. Section 4 of the Principal Act is amended by omitting from subsection (1) “a tax” and substituting “tax”.

**Rate of tax**

4. Section 5 of the Principal Act is amended:

- (a) by omitting “the tax” and substituting “tax, other than additional tax,”;
- (b) by omitting “20%” and substituting “30%”;
- (c) by omitting paragraph (b) and substituting the following paragraph:

“(b) if a lower rate is applicable to the wool under the regulations—that lower rate.”.

5 After section 5 of the Principal Act the following section is inserted:

**Surcharge in respect of certain wool**

“5A. (1) On and after a date to be fixed by the regulations, additional tax is payable in respect of shorn wool, other than carpet wool, purchased by a manufacturer from a person other than a wool-broker or a registered wool-dealer.

“(2) The rate of additional tax is:

- (a) 20% of the sale value of the wool; or
- (b) if a lower rate is applicable to the wool under the regulations—that lower rate.”.

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 Section 6 of the Principal Act is repealed and the following section is substituted:

**Regulations**

“6. (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

“(2) A rate prescribed for the purpose of paragraph 5 (b) or 5A (2) (b) must be a rate that is a particular percentage of the sale value of the shorn wool on which tax, or additional tax, as the case requires, is payable.

“(3) Regulations made for the purpose of paragraph 5 (b) may prescribe different rates for:

- (a) shorn wool other than carpet wool; and
- (b) carpet wool;

or may prescribe only a rate for shorn wool other than carpet wool or only a rate for carpet wool.

“(4) A percentage specified in a rate of tax prescribed for the purpose of paragraph 5 (b):

- (a) in the case of a rate applicable to shorn wool other than carpet wool—must not be less than 5.25%; and

- (b) in the case of a rate applicable to carpet wool—must not be less than 2.75%; and
- (c) must not be such that, at any time, the percentage is different from a percentage specified in a rate of tax prescribed for the purpose of paragraph 5 (b) of another Wool Tax Act in respect of the same kind of wool.

“(5) Before making regulations under this section prescribing a rate of tax, the Governor-General is required to take into consideration:

- (a) in the case of regulations to prescribe a rate for the purpose of paragraph 5 (b)—any recommendations with respect to that rate made to the Minister by the Wool Council of Australia, being the organisation that was formed under that name on 19 July 1979; or
- (b) in the case of regulations to prescribe a rate for the purpose of paragraph 5A (2) (b)—any recommendations with respect to that rate made to the Minister by the Australian Wool Corporation.”.

#### Temporary fixing of rate of tax

7. (1) The Principal Act, as amended by this Act:

- (a) has effect, in relation to shorn wool other than carpet wool, as if a rate of 25% had been prescribed, with effect on and from 4 October 1990, for the purpose of paragraph 5 (b); and
- (b) so has effect until regulations prescribing a rate for the purpose of paragraph 5 (b) first come into operation after the commencement of this Act.

(2) The Principal Act, as amended by this Act:

- (a) has effect, in relation to carpet wool, as if a rate of 3.85% had been prescribed, with effect on and from 4 October 1990, for the purpose of paragraph 5 (b); and
- (b) so has effect until regulations prescribing a rate for the purpose of paragraph 5 (b) first come into operation after the commencement of this Act.

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#### NOTE

1. No. 27, 1964, as amended. For previous amendments, see No. 66, 1973; No. 68, 1974; No. 88, 1975; Nos. 37 and 74, 1976; No. 46, 1977; No. 74, 1978; No. 34, 1979; No. 53, 1980; No. 87, 1985; No. 48, 1987; and Nos. 1990.



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