

1980-81

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Presented and read a first time, 26 February 1981

(*Minister for Primary Industry*)

A BILL

FOR

An Act to amend the *Australian Apple and Pear Corporation Act 1973*

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

Short title, &c.

1. (1) This Act may be cited as the *Australian Apple and Pear Corporation Amendment Act 1981*.

10 (2) The *Australian Apple and Pear Corporation Act 1973*¹ is in this Act referred to as the Principal Act.

Commencement

2. This Act shall come into operation on the day on which it receives the Royal Assent.

15 **Interpretation**

3. Section 4 of the Principal Act is amended—

(a) by omitting "*Canned Fruits Export Marketing Act 1963-1970*" from the definition of "pear products" and substituting "*Canned Fruits Marketing Act 1979*"; and

20 (b) by omitting the definition of "Territory".

Contracts relating to shipments, &c., of apples or pears

4. Section 9 of the Principal Act is amended by inserting in paragraph (1) (a) "or air" after "sea".

Superannuation

5. Section 26 of the Principal Act is repealed. 5

Application of moneys of Corporation

6. Section 32 of the Principal Act is amended by omitting from paragraph (1) (f) "*Apple and Pear Stabilization Export Duty Collection Act 1971-1973* or the *Apple and Pear Stabilization Act 1971-1973*" and substituting "*Apple and Pear Stabilization Export Duty Collection Act 1971*, the *Apple and Pear Stabilization Act 1971* or the *Apple and Pear Export Underwriting Act 1981*". 10

7. Section 36 of the Principal Act is repealed and the following section substituted:

Liability to taxation

"36. (1) The Corporation is subject to taxation (other than income tax) under the laws of the Commonwealth. 15

"(2) Subject to sub-section (3), the Corporation is not subject to taxation under a law of a State or Territory.

"(3) The regulations may provide that sub-section (2) does not apply in relation to taxation under a specified law." 20

NOTE

1. No. 194, 1973, as amended. For previous amendments, see No. 199, 1976; and No. 15, 1978.