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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

BUFFALO SLAUGHTER LEVY BILL 1997

REPLACEMENT EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Primary Industries and Energy,
the Hon John Anderson MP)

BUFFALO SLAUGHTER LEVY BILL 1997

GENERAL OUTLINE

1. The purpose of this Bill is to provide for the imposition of a levy on the slaughter at an abattoir of buffaloes for human consumption. The Bill will replace provisions for the imposition of the levy contained in the *Live-stock Slaughter Levy Act 1964*, and will not impose any new or additional levy on the slaughter of buffalo. The Bill is one of a package of Bills which will give effect to the Government's decision on meat and live-stock industry reform. The *Live-stock Slaughter Levy Act 1964* will be repealed on the same day as the Bill commences.
2. Under the Bill, the levy will be paid by the owner of the buffaloes at slaughter, including a State or a State authority where it is the owner of the buffaloes. The charge will be collected under the provisions of the *Primary Industries Levies and Charges Collection Act 1991*.
3. The Bill will provide for the continuation of the current operational levy rate, which is a levy per head of buffaloes slaughtered, split into the same two components. One component of the levy will be payable to the Rural Industries Research and Development Corporation (RIRDC) and will be used to fund the research program for the buffalo industry which is managed by the Corporation. The other component will be paid into the National Cattle Disease Eradication Trust Account which funds the Brucellosis and Tuberculosis Eradication Campaign.
4. The Bill allows for the operational levy rate payable for each component to be increased or decreased by regulations. While the operational levy rate payable to RIRDC or the National Cattle Disease Eradication Trust Account may be varied by regulation, it cannot be increased beyond the maximum rate for each component set in the Bill.
5. The regulatory impact consequences for this Bill are not considered to be significant and have been covered in the Explanatory Memorandum prepared for the *Australian Meat and Live-stock Industry Bill 1997*.

FINANCIAL IMPACT STATEMENT

6. The intent of the Bill is to provide a new legislative basis for the imposition of the existing buffalo slaughter levy following the repeal of the *Live-stock Slaughter Levy Act 1964*. The Bill will therefore have no financial impact on either Government or the buffalo industry.

NOTES ON CLAUSES

Clause 1 - Short Title

7. This clause provides for the Act to be called the *Buffalo Slaughter Levy Act 1997*.

Clause 2 - Commencement

8. This clause provides for the Act to come into effect on the same day as Part 3 of the *Australian Meat and Live-stock Industry Act 1997* commences, which will also be the day on which the *Live-stock Slaughter Levy Act 1964* will be repealed under the provisions of the *Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997*.

Clause 3 - Definitions

9. This clause provides definitions that will assist in the interpretation of the Act.

Clause 4 - Imposition of levy

10. This clause provides for the imposition of a levy on the slaughter at an abattoir of buffaloes which are to be used for human consumption, and specifies cases where a levy is not imposed.

Clause 5 - Rate of levy

11. This clause sets the operational and maximum levy rates payable for the specified purposes. The operational levy rate may be increased or decreased by regulation, provided the proposed amount of levy does not exceed the maximum rate, but the maximum rate can only be changed through primary legislation.
12. The reason for allowing the operational rate to be changed by regulation is to avoid imposing an unreasonable burden on the Parliament as the operational rate is open to frequent changes. In addition, delays in amending legislation can hamper industry programs. Any changes to operational rates will only be made after consultation with industry.

Clause 6 - Levy is payable by the owner

13. This clause provides that the buffalo slaughter levy will be paid by the person who owns the buffaloes when slaughter takes place. The obligation to pay the levy also extends to a State or Territory or an authority of a State or Territory where it is the owner of the buffalo at slaughter.

Clause 7 - Regulations

14. This clause provides for the making of regulations that are authorised by the Act or needed to allow the Act to operate.

