

1981

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA
HOUSE OF REPRESENTATIVES

Dried Fruit (Export Inspection Charge) Collection Bill 1981

EXPLANATORY MEMORANDUM

(Circulated by authority of the Minister for Primary Industry,
the Hon. Peter Nixon, M.P.,)

OUTLINE

Dried Fruit (Export Inspection Charge) Collection Bill 1981

This Bill is associated with the Dried Fruit (Export Inspection Charge) Bill 1981 which will be introduced simultaneously. It provides for the collection of charges proposed in that Bill.

The Bill establishes the date on which payment of the charge is due. It provides for the recovery of the charge (including penalty for non-payment), the remission of penalty in whole or in part, where appropriate, and access to premises by authorised persons (including penalty for obstructing or hindering such persons). The functions of authorised persons are laid down.

No. of
Clause

Explanation

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| 1 | Citation |
| 2 | Date of commencement of 1 July 1981 |
| 3 | Provides definition of "authorised person" for purposes of the Bill. Defines "charge" as having the same meaning as in the Dried Fruit (Export Inspection Charge) Bill 1981. |
| 4 | Establishes the date on which payment of the charge is due. |
| 5(1) | Provides for Commonwealth to recover as debts the amounts due for payment and any penalties for non-payment by the due date. |
| (2) | Averment provision to aid Commonwealth in proving certain matters in relation to proceedings for the recovery of a debt. |
| 6(1) | Provides for a penalty for non-payment at a rate which is common to export inspection charge Acts. |
| (2) | Provides for a remission of the penalty if the Minister or authorised person considers sufficient reason exists |
| (3) | Limits to \$100 any remission by an authorised person. |
| 7 | Provides a penalty for offences relating to returns, etc. |
| 8(1) | Provides for access to premises by an authorised person with consent of occupier. |
| (2) | Establishes procedures whereby an authorised person may apply to a Justice of the Peace for a warrant to enter premises. |
| (3) | Establishes circumstances in which a Justice of the Peace may issue a warrant. |
| (4) | Provides for an authorised person to carry out his functions. |
| (5) | Provides for penalty for obstructing an authorised person without reasonable excuse. |
| (6) | Sets out functions which an authorised person may perform. |
| 9 | Provides for regulations relating to collection, manner of payment, remissions or refunds, keeping of records, furnishing of returns, warrants and penalties. |

