

1984

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

DRIED FRUITS LEVY AMENDMENT BILL 1984

EXPLANATORY MEMORANDUM

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

OUTLINE

The amendments proposed in this Bill to be made to the Dried Fruits Levy Act 1971 are designed to correct certain anomalies relating to the imposition of the dried fruits levies to increase the maximum permissible rates, and to simplify administration. Under the Act, levies are imposed on dried fruits of a season received for packing, and provide funds for the operation of dried fruits research under the Dried Fruits Research Act 1971.

Under the present Levy Act the small quantities of fresh fruits delivered for drying purposes are in practice not subject to levy. Fresh pears delivered for drying are subject to levy under the Apple and Pear Levy Act 1976, even though monies raised by the latter levy are not applied for the benefit of dried pears. This Bill provides for fresh fruits delivered for drying purposes to be subject to the dried fruits levy through amendment of the definition of "received for packing". Fresh pears delivered for drying are proposed to be exempted at the same time from levy under the Apple and Pear Levy Act 1976.

This Bill provides for increases in the maximum levy rates for dried vine fruits and dried tree fruits. These increases were recommended by the Australian Dried Fruits Research Committee. Doubling the maximum rates of levy is expected to avoid any need for further amendment to legislation to provide for levy increase for several years.

Provision is also made in the Bill to eliminate the requirement to set levy rates specifically for each season. This would overcome the present necessity to introduce a new Regulation in each season even though the operative rates of levy are to remain unchanged.

There is also provision in the Bill to omit part of a sub-section which limits the action of the Governor-General in fixing operative rates to levy, by requiring that be not est rates above levels recommended by the Dried Fruits Research Committee. Removal of this express limitation on the Governor-General's action is desirable to bring the provisions of the Act into line with those of other similar legislation.

NOTES ON CLAUSES

Clause 1 Citation

1. The first clause of the Bill provides for the citation.

Clause 2: Commencement

2. Commencement is to be on the day the Bill receives the Royal Assent.

Clause 3: Interpretation

3. This clause provides for the interpretation of "received for packing" to include fresh fruits delivered for drying. Such fruits will thus become leviable under the Dried Fruits Levy Act 1971. An amendment proposed in the associated Apple and Pear Levy Amendment Bill provides for fresh pears delivered for drying to be exempt from levy under the Apple and Pear Levy Act 1976.

Clause 4: Rate of Levy and Administration

4. Amendment of the maximum rates of levy, and certain administrative amendments are detailed below

Sub-clauses 4(1)(a) and (b)

5. The Bill amends the Principal Act to increase the maximum rates of levy from one dollar per tonne to two dollars per tonne for dried vine fruit and from five dollars per tonne to ten dollars per tonne for dried tree fruits.

Sub-clause 4(1)(c)

6. This amendment eliminates the present necessity to introduce a new regulation establishing the rates for each season, even though they are to remain unchanged from the previous season.

Sub-clause 4(1)(d)

7. This amendment eliminates that part of a sub-section which limits the power of the Governor-General in regard to the setting of levy rates.

Sub-clause 4(2)

8. This amendment provides that regulations now in force which apply to fruit of 1983 season may continue in force in later seasons.