

1993

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

EXPORT INSPECTION CHARGES LAWS AMENDMENT BILL 1993

EXPLANATORY MEMORANDUM

(Circulated by authority of the
Minister for Primary Industries and Energy,
the Honourable Simon Crean MP)

EXPORT INSPECTION CHARGES LAWS AMENDMENT BILL 1993

GENERAL OUTLINE

The Bill amends the title of the Export Inspection Charges Collection Act 1985 ("the Collection Act") and amends the Collection Act to make provision for the collection of the domestic meat premises charge which is to be imposed by the Domestic Meat Premises Charge Bill 1993.

2. The new short title of the Collection Act is the Export Inspection and Meat Charges Collection Act 1985.
3. Amendments to the Collection Act are necessary to collect the domestic meat premises charge which is part of the uniform, three tier charging regime of the Australian Quarantine and Inspection Service.
4. The Bill also amends the Export Inspection (Quantity Charge) Act 1985, Export Inspection (Export Registration Charge) Act 1985 and Export Inspection (Service Charge) Act 1985 to refer to the new title of the Collection Act.

FINANCIAL IMPACT STATEMENT

5. The Bill has no direct financial impact.

NOTES ON INDIVIDUAL CLAUSES

Clause 1 : Short title

6. The Act will be called the Export Inspection Charges Laws Amendment Act 1993.

Clause 2 : Commencement

7. Clause 2 provides for the Act to commence on 1 January 1994.

Clause 3 : Principal Act

8. Clause 3 defines "Principal Act" to mean the Export Inspection Charges Collection Act 1985.

Clause 4 : Amendment of title

9. Clause 4 amends the title of the Principal Act by including reference to the Domestic Meat Premises Charge Act 1993.

Clause 5 : Short title

10. Clause 5 amends the short title of the Principal Act by inserting the words "and Meat".

Clause 6 : Interpretation

11. Clause 6 amends the interpretation section of the Principal Act by amending the definition of "charge" to include the domestic meat premises charge, and inserting definitions of "domestic meat premises charge" and "killing or processing plant" which have the same meaning as in the Domestic Meat Premises Charge Act 1993.

Clause 7 : Manner of Payment

12. Clause 7 inserts sub-section 5(4) into the Principal Act which provides that amounts of domestic meat premises charge may be paid at any prescribed office.

Clause 8 : Insertion of new section

13. Clause 8 inserts section 12A into the Principal Act.

14. If a domestic meat premises charge has not been paid by the day on which it is required to be paid, section 12A authorises the Secretary to direct that specified services provided under the Meat Inspection Act 1983 or its regulations or orders not be provided.

Clause 9 : Reconsideration and review of decisions

15. Clause 9 deletes the definition of "relevant decision" from subsection 16(1) of the Principal Act and substitutes a new definition of "relevant decision".

16. A direction by the Secretary under section 12A of the Principal Act, namely not to provide specified services under the *Meat Inspection Act 1983* or its regulations or orders, is a "relevant decision". A person affected by a relevant decision who is dissatisfied with the decision may apply to the Minister for reconsideration of the decision. In turn, the Minister's reconsideration is a "reviewable decision" that may be reviewed by the Administrative Appeals Tribunal.

Clause 10 : Insertion of new section

17. Clause 10 inserts section 16B into the Principal Act.

18. Section 16B permits the Secretary to delegate the power conferred under section 16A to an officer in the Australian Quarantine and Inspection Service.

Clause 11 : Amendment of Export Inspection (Quantity Charge) Act 1985

19. Clause 11 amends section 3 of the Export Inspection (Quantity Charge) Act 1985 to refer to the new title of the Principal Act (Export Inspection and Meat Charges Collection Act 1985) by inserting the words "and Meat".

Clause 12 : Amendment of Export Inspection (Export Registration Charge) Act 1985

20. Clause 12 amends section 3 of the Export Inspection (Export Registration Charge) Act 1985 to refer to the new title of the Principal Act (Export Inspection and Meat Charges Collection Act 1985) by inserting the words "and Meat".

Clause 13 : Amendment of Export Inspection (Service Charge) Act 1985

21. Clause 13 amends section 3 of the Export Inspection (Service Charge) Act 1985 to refer to the new title of the Principal Act (Export Inspection and Meat Charges Collection Act 1985) by inserting the words "and Meat".

