

1988

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

HONEY EXPORT CHARGE AMENDMENT BILL 1988

EXPLANATORY MEMORANDUM

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

HONEY EXPORT CHARGE AMENDMENT BILL 1988

GENERAL OUTLINE

This Bill seeks to amend the Honey Export Charge Act 1973 so as to require the Australian Honey Board to consult with the honey producers' and packers' organisations prior to recommending to the Minister any change in the rate of export charge on honey that is imposed to fund the Board. At present the Board is not obliged to do so.

2. A further provision in the Bill will preclude the Board from recommending an export charge rate higher than that agreed to by the producers' organisation or the packers' organisation.

3. The object of these amendments is to enhance the Board's accountability to the industry which provides its funds through the export charge and a levy on honey taken up by the home market.

FINANCIAL IMPACT STATEMENT

4. The amendments have no financial implications for the Government or the industry.

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NOTES ON INDIVIDUAL CLAUSES

Clause 1 : Short Title etc

5. Title of the Act for citation purposes; identification of the Principal Act.

Clause 2 : Commencement

6. The provisions of the Act will come into operation simultaneously with section 4 of the Honey Marketing Act 1988, that is, when a reconstituted Australian Honey Board comes into being. This is expected to occur not later than 1 January 1989; the actual date will be set by Proclamation.

Clause 3 : Interpretation

7. It is necessary to replace the present definitions of "Board" and "producers' organisation" in the Principal Act because they define the bodies in question by reference to legislation that has been, or will be, repealed (viz, Honey Research Act 1980 and Honey Industry Act 1962). The new definitions are the same as those used in the Honey Marketing Bill 1988.

8. A definition of "packers' organisation" has been added because honey packers will participate in the process of establishing the operative rates of export charge.

Clause 4 : Rates of Charge

9. Subclause 4(1) inserts new provisions which will require the Board to consult with the producers' and packers' organisations prior to making any recommendation to the Minister as to the rate of the export charge, and preclude the Board from recommending a rate higher than that agreed to by the producers' organisation or the packers' organisation.

10. Subclause 4(2) is a saving provision to ensure that when the requirements referred to in subclause 4(1) become operative, this will not invalidate regulations by which export charge rates were prescribed when those requirements did not exist.

Clause 5 : Regulations

11. The regulation-making power in the Principal Act is currently restricted to prescribing exemptions and operative rates of export charge. Thus it does not extend to prescribing of industry bodies entitled to consultation on rates of charge as envisaged by the definitions in Clause 3, nor to other matters it may prove desirable to prescribe to support the new consultative procedures. Accordingly, a broad regulation-making power of a type common in other Acts has been provided for.

