

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

HOUSE OF REPRESENTATIVES

PRIMARY INDUSTRIES LEVIES AND CHARGES (CONSEQUENTIAL PROVISIONS) BILL  
1990

EXPLANATORY MEMORANDUM

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

PRIMARY INDUSTRIES LEVIES AND CHARGES (CONSEQUENTIAL  
PROVISIONS) BILL 1990

GENERAL OUTLINE

1. The Primary Industries Levies and Charges (Consequential Provisions) Bill is the complementary bill to the Primary Industries Levies and Charges Collection Bill. It makes the consequential amendments to each of the levy and export charge imposition acts needed following on from the main collection bill.

2. None of the basic criteria for implementation have been altered. This bill does however provide for the repeal of various collection acts whose principal parts have been incorporated into the Primary Industries Levies and Charges Collection Bill. Certain provisions relating to agreements between the Commonwealth and a State or Territory have been saved under the same terms applicable before the repeal.

FINANCIAL IMPACT STATEMENT

3. The measures proposed by this Bill involve no additional costs.

PRIMARY INDUSTRIES LEVIES AND CHARGES (CONSEQUENTIAL  
PROVISIONS) BILL 1990

NOTES ON CLAUSES

No of  
Clause

- 1        Short Title  
  
4. The Bill will be called the Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1990.
- 2        Commencement  
  
5. Provides for the Act to commence on 1 July 1991.
- 3        Consequential amendments of other Acts  
  
6. Provides that the Acts specified in Schedule 1 are amended as set out in that Schedule.
- 4        Repeals  
  
7. The Acts listed in Schedule 2 are repealed.
- 5        Saving - levy and charge legislation  
  
8. Despite the repeal of an Act or part of an Act, this section allows for the continuation of regulations, agreements or other provisions relating to the collection of levy or charge, that were in effect at the commencement of this Act.
- 6        Saving - section 9 of the Pig Slaughter Levy Collection Act 1971  
  
9. Provides for the continuation of arrangements for the deduction of levy amounts from the purchase price payable under contracts that were in force prior to the commencement of this Act.
- 7        Saving - section 118 of the Dairy Produce Act 1986  
  
10. Provides that where a person was entitled to make a request for the review of a decision or make application to the Administrative Appeals Tribunal (AAT) under the provisions of the Dairy Produce Act 1986 prior to the commencement of amendments made by this Act then those rights continue to apply.

8        Saving - section 20 of the Cattle and Beef Levy  
Collection Bill 1990

11. Provides for the continuation of a person's right to have a decision reviewed as if the Cattle and Beef Levy Collection Bill 1990 had not been repealed.

9        Saving - Review of decisions

12. Provides that where a person was entitled to make application to the AAT for the review of a decision, then the rights of that person continue to be the same as before the commencement of this Act. Each of the provisions and their corresponding Acts effected are contained in Schedule 3. Descriptions of the amendments are summarised from paragraphs 13 below.

SCHEDULE 1 - CONSEQUENTIAL AMENDMENTS OF OTHER ACTS

Apple and Pear Export Charge Act 1976

Section 4

13. Repeals the link between the Apple and Pear Export Charge Act 1976 and the Apple and Pear Export Charge Collection Act 1976 which is itself being replaced by the Primary Industries Levies and Charges Collection Bill 1990.

Section 5

14. The definition of "Association" is substituted by a definition of "Growers' Association".

15. A new subsection 5(3) is being added that allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Subsection 6(2)

16. Provides that charge is payable by the producer. Under the provisions of the Primary Industries Levies and Charges Collection Bill 1990 a 'producer' includes the person who exports the product from Australia.

Subsection 8(2)

17. Replaces the term 'Association' with 'Growers' Association' in line with the amended definition in section 5.

Apple and Pear Levy Act 1976Section 3

18. Repeals the link between the Apple and Pear Levy Act 1976 and the Apple and Pear Levy Collection Act 1976 which is itself being replaced by the Primary Industries Levies and Charges Collection Bill 1990.

Subsection 4(1)

19. The definition of "Association" is replaced by a definition of "Growers' Association".

20. Other definitions throughout the Act are being amended to replace references to 'grower' or 'growers' with 'producer(s)' and also to replace 'dealer' with 'selling agent'.

21. A new subsection 4(4) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Australian Horticultural Corporation Act 1987

22. In subsection 3(1) the definition of 'appoint' is to be omitted and also a new definition of 'Levies and Charges Collection Act' is inserted.

23. Sections 47, 47A, and 48 are being amended to include references to the Primary Industries Levies and Charges Collection Bill 1990. These changes will permit moneys received under those sections to be paid to the Corporation and permit the Corporation to pay expenses incurred by the Commonwealth in relation to the collection of those moneys.

Australian Meat and Live-stock Corporation Act 1977

24. Subsections 34(2), (3), (4), (5), and (6) are being amended to incorporate references to the Primary Industries Levies and Charges Collection Bill 1990 and the Cattle and Beef Levy Collection Bill 1990. These changes will permit moneys received under those Bills to be paid to the Corporation and permit the Corporation to pay expenses incurred by the Commonwealth in relation to the collection of those moneys.

Australian Meat and Live-stock Research and Development Corporation Act 1985

25. Subsections 42(4), (5), (6), (7) and (8) are being amended to incorporate references to the Primary Industries Levies and Charges Collection Bill 1990 and the Cattle and Beef Levy Collection Bill 1990. These changes will permit moneys received under those Bills to be paid to the Corporation and permit the Corporation to pay expenses incurred by the Commonwealth in relation to the collection of those moneys.

### Australian Wine and Brandy Corporation Act 1980

26. Subsection 4(1) is being amended by omitting the definition of 'appoint'.

27. Paragraph 32(b) and section 33 are being amended to incorporate references to the Primary Industries Levies and Charges Collection Bill 1990 and the Wine Grapes Levy Collection Act 1979. These changes will permit moneys received under those Bills to be paid to the Corporation and permit the Corporation to refund overpayments to the Commonwealth.

### Barley Research Levy Act 1980

#### Section 3

28. Repeals the link between the Barley Research Levy Act 1980 and the Barley Research Levy Collection Act 1980 which is itself being repealed.

29. Section 4 is being amended by replacing references to 'grower' with 'producer'. The definition of 'marketing law' is also being removed.

30. A new subsection 4(5) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

### Beef Production Levy Act 1990

#### Section 3

31. Repeals the link between the Beef Production Levy Bill 1990 and the Cattle and Beef Levy Collection Bill 1990 which is itself being repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

32. Section 4 is being amended by omitting the definition of 'abattoir'. In addition, a new subsection 4(2) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

### Cattle Export Charge Bill 1990

#### Section 3

33. Repeals the link between the Cattle Export Charge Bill 1990 and the Cattle and Beef Levy Collection Bill 1990 which is itself being repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 4

34. A new subsection 4(2) is being added which allows for words and expressions not defined in this Bill to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

### Cattle Transaction Levy Bill 1990

35. The definition of 'processor' is being omitted and in addition, a new subsection 4(5) is being added which allows for words and expression not defined in this Bill to take the same meaning as in the Primary Industries Levies and Charges Collection Bill 1990.

36. The definition of the 'National Cattle Disease Eradication Trust Account' is replaced to reflect the enactment of the National Cattle Disease Eradication Trust Account Bill 1990. This latter Bill provides for the continued existence of the trust account following the repeal of the Live-stock Slaughter Levy Collection Act 1964

### Cotton Levy Act 1982

#### Section 3

37. Repeals the link between the Cotton Levy Act 1982 and the Cotton Research Levy Collection Act 1982 which is itself being repealed.

#### Section 4

38. Section 4 is being amended by repealing references to 'grower' and 'marketing law'.



39. A new subsection 4(5) is being added which allows for words and expressions not defined in this Bill to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

40. In addition, references to 'grower' are being substituted by 'producer' throughout the Act.

## Dairy Produce Act 1986

### Section 3

41. Amends the definitions of 'corporation levy', 'dairy products levy', 'exotic animal diseases levy', 'market support levy', 'promotion levy', and 'research levy' by substituting references to 'this Act' [ie the Dairy Produce Act] with references to the 'Levies and Charges Collection Act'.

42. A new definition of 'Levies and Charges Collection Act' is included to provide reference to the Primary Industries Levies and Charges Collection Bill 1990

43. Part VI which previously related to 'collection of levies' has been extensively amended and the relevant provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990. A summary of the changes appears below.

44. Summary of amendments to Part VI of the Dairy Produce Act 1986:-

- the heading to the Part is amended to 'Refund of Levies' to reflect the contents
- Division 1 which dealt with the collection of the milk fat levies is repealed
- the heading to Division 2 is repealed, together with sections 66 to 69 (inclusive) which dealt with the collection of the dairy products levy.

45. Each of the following paragraphs has been amended to incorporate a reference to the Primary Industries Levies and Charges Collection Bill 1990 in lieu of the Dairy Produce Act 1986:-

- . paragraph 71(1)(b)
- . paragraph 74(1)(d)
- . paragraph 90(1)(b)
- . paragraph 93(1)(c)
- . paragraph 101(d)
- . paragraph 107(c)
- . paragraph 108(2)(c)

46. Paragraph 113(2)(b) is omitted reflecting the incorporation of these provisions into the Primary Industries Levies and Charges Collection Bill 1990.

47. Section 118, which deals with the review of decisions, is similarly changed to reflect the enactment of the new 'Levies and Charges Collection Act'.

48. Paragraphs 126(d) and (e) are omitted from the regulation making powers but are incorporated in the new 'Levies and Charges Collection Act'.

#### Dairy Produce Levy (No. 1) Act 1986

##### Section 3

49. Repeals the link between the Dairy Produce Levy (No. 1) Act 1986 and the Dairy Produce Act 1986 which is itself being amended to reflect the enactment of the Primary Industries Levies and Charges Collection Bill 1990.

##### Section 4

50. Section 4 is being amended by omitting definition of 'producer' and 'Dairy Produce Act'. In addition references to the 'Dairy Produce Act' are replaced by ones to the 'Levies and Charges Collection Act'.

51. A new definition of 'Levies and Charges Collection Act' is included, referring to the Primary Industries Levies and Charges Collection Bill 1990.

52. A new subsection 4(8) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the 'Levies and Charges Collection Act'.

53. In subsection 11(1) the expression "the proprietor of the factory at which they are produced" is replaced by the term "producer". This reflects the changes effected by the Primary Industries Levies and Charges Collection Bill 1990.

54. Section 13 is repealed but the provision is incorporated into section 28 of the Primary Industries Levies and Charges Collection Bill 1990.

#### Dairy Produce Levy (No. 2) Act 1986

##### Section 3

55. The section is repealed.

##### Section 10

56. The reference to 'importer' is replaced by 'producer' reflecting changes made by the Primary Industries Levies and Charges Collection Bill 1990.

#### Dried Fruits Levy Act 1971

57. Section 3 is repealed removing the link between the Dried Fruits Levy Act 1971 and the Dried Fruits Levy Collection Act 1971 which is itself repealed and the provision incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

58. In section 4 references to 'packing house', 'packed' and 'the packer' are omitted.

59. Other similar references in the Act are changed to 'processing establishment', 'processed', or 'producer' respectively.

60. A new subsection 4(2) is being added which allows for words and expressions not defined in the Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 7

61. The section is amended to reflect the changes effected by the enactment of the Primary Industries Levies and Charges Collection Bill 1990.

Dried Vine Fruits Equalization Act 1978

62. Subsection 3(1) is amended by removing the definitions of 'month', 'packer', and 'producer'. These are now covered by provisions in the Primary Industries Levies and Charges Collection Bill 1990.

63. A new definition of 'Levies and Charges Collection Act' is included, referring to the Primary Industries Levies and Charges Collection Bill 1990.

64. Paragraph 7(1)(b) is amended by changing the references to the Dried Vine Fruits Equalization Act 1978 with ones for the Primary Industries Levies and Charges Collection Bill 1990.

Part III

65. This part which dealt with collection of levy is repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 29

66. The section is repealed.

Section 30

67. The section is amended by removing the reference to the Levy Act. The provisions are incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 31

68. The provision relating to the review of decisions made under the Act is modified to reflect the removal of provisions relating to the collection of levy.

## Dried Vine Fruits Equalization Levy Act 1978

### Section 3

69. This section is repealed to remove the link with the Dried Vine Fruits Equalization Act 1978, which itself has been amended to reflect changes resulting from the enactment of the Primary Industries Levies and Charges Collection Bill 1990.

### Section 4: Interpretation

70. The section is repealed. A new subsection 4(1) containing definitions of 'authorised person' and 'levy' is substituted.

71. In addition, a new subsection 4(2) is added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

### Section 8

72. After section 8 a new section is inserted which provides for the appointment of authorised persons by the Minister.

## Goat Fibre Levy Act 1989

### Section 3

73. The existing section 3 is repealed thus removing the link between the Goat Fibre Levy Act 1989 and the Goat Fibre Levy Collection Act 1989 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

### Section 4

74. A new subsection 4(2) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

### Section 7

75. The reference to 'grower' is replaced with 'producer'.

### Section 9

76. This section has been amended to reflect the change in emphasis from 'grower' to 'producer'. The section provides for exemption from levy of fibre used by the producer.

### Section 10

77. The reference to 'growers' is replaced with 'producers'. Similarly, the reference to 'dealer' is substituted with one for 'buying agent or selling agent'.

## Grain Legumes Levy Act 1985

### Section 3

78. The existing section 3 is repealed thus removing the link between the Grain Legumes Levy Act 1985 and the Grain Legumes Levy Collection Act 1985 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

### Section 4

79. The existing definition section is being amended with the definitions of 'grower', 'levy year', 'marketing law', and 'processing' omitted. These definitions are incorporated in the main Levies and Charges Collection Bill.

80. References to 'grower' throughout the Act are replaced with 'producer'. The sections effected are:-

- . subsection 4(2)
- . subsection 4(3)
- . subsection 4(4)
- . subsection 6(2)
- . section 8
- . subsection 9(1)
- . subsection 9(2)
- . subsection 9(3)

81. A new subsection 4(6) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Grape Research Levy Act 1986

82. The existing section 3 is repealed thus removing the link between the Grape Research Levy Act 1986 and the Grape Research Levy Collection Act 1986 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 4

83. The existing interpretation section is being replaced by a new section 4 which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990. In addition, definitions of 'dried grapes', 'fresh grapes', 'levy' and 'prescribed goods', previously contained in the Grape Research Levy Collection Act 1986, are included.

Section 8

84. Provides for the substitution of references to 'grower' with 'producer'.

Honey Export Charge Act 1973Section 3

85. The existing section 3 is repealed thus removing the link between the Honey Export Charge Act 1973 and the Honey Export Charge Collection Act 1989 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 4

86. A new definition of 'honey', meaning honey produced in Australia, is added.

87. A new subsection 4(2) is also added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 8

88. The reference to 'exporter' is replaced by 'producer'.

Honey Levy (No. 1) Act 1962

Section 3

89. The existing section 3 is repealed thus removing the link between the Honey Levy (No. 1) Act 1962 and the Honey Levy Collection Act 1962 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 3A

90. Provides for the definition of 'month' to be omitted.

91. A new subsection 3A(2) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 6

92. Provides for the substitution of the reference to 'vendor' with 'producer'.

Honey Levy (No. 2) Act 1962

Section 3

93. The existing section 3 is repealed thus removing the link between the Honey Levy (No. 2) Act 1962 and the Honey Levy Collection Act 1962 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 3A

94. Provides for the definition of 'month' to be omitted.

95. A new subsection 3A(2) is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.



Honey Marketing Act 1988

Section 50

96. The section is amended by providing for the inclusion of references to the Levies and Charges Collection Bill in relation to the payment of moneys to the Australian Honey Board.

Section 57

97. The definitions of 'Parliament' and 'State' are amended to include appropriate recognition of the Australian Capital Territory.

Horticultural Export Charge Act 1987

Section 4

98. The existing section 4 is repealed thus removing the link between the Horticultural Export Charge Act 1987 and the Horticultural Export Charge Collection Act 1987 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 5A

99. This provides for the inclusion of various definitions transferred from the Horticultural Export Charge Collection Act 1987.

100. A new subsection is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 12

101. Substitutes the term 'owner' with 'producer' in line with changes effected by the enactment of the Levies and Charges Collection Bill.

Horticultural Levy Act 1987

Section 4

102. The existing section 4 is repealed thus removing the link between the Horticultural Levy Act 1987 and the Horticultural Levy Collection Act 1987 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

Section 5A

103. This provides for the inclusion of various definitions transferred from the Horticultural Levy Collection Act 1987.

104. A new subsection is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Horticultural Policy Council Act 1987

Section 3

105. The section provides amendments to the definitions of 'Parliament' and 'State' to include the Australian Capital Territory equivalents. In addition, the definition of 'appoint' is being deleted as being redundant.

Horticultural Research and Development Corporation Act 1987

Section 3

106. The definitions of 'appoint', 'Export Charge Collection Act', and 'Levy Collection Act' are being removed. Instead a new definition of 'Levies and Charges Collection Act' is included, referring to the Primary Industries Levies and Charges Collection Bill 1990.

Section 45 and Section 45A

107. These sections are amended by providing for the inclusion of references to the Levies and Charges Collection Act in relation to the payment of moneys to the Corporation, and the making of agreements by the Corporation.

### Laying Chicken Levy Act 1988

108. The existing section 3 is repealed thus removing the link between the Laying Chicken Levy Act 1988 and the Laying Chicken Levy Collection Act 1988 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 3A : Interpretation

109. Relevant definitions which were previously in the Laying Chicken Levy Collection Act 1988 are provided for in this section. For example a 'laying chicken' is defined as being a female chicken that is to be raised for the production of eggs.

110. A new subsection is being added which allows for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 3B : Nominal groups of 100 chickens

111. Provides that, in accordance with the practice in the poultry industry, approximations of 106 chickens to be taken as 100 chickens are considered acceptable.

#### Section 8

112. Replaces the expression 'the proprietor of the hatchery in which the chickens were hatched' with the term 'producer of the chickens'. This is consistent with changes effected through the enactment of the Primary Industries Levies and Charges Collection Bill 1990.

Live-stock Export Charge Act 1977

113. The existing section 3 is repealed thus removing the link between the Live-stock Export Charge Act 1977 and the Live-stock Export Charge Collection Act 1977 and the provisions included in the Primary Industries Levies and Charges Collection Bill 1990.

Section 4

114. Provides for the deletion of the definition of 'exporter'.

115. A new subsection 4(2) is included which permits words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 12

116. The section is amended by replacing references to 'exporter' with 'producer'. A 'producer' is defined to include a State and an authority of a State.

Live-stock Slaughter Levy Act 1964Section 3

117. The existing section 3 is repealed.

Section 4

118. The definition of 'abattoir' is deleted. A new subsection 4(2) is added allowing for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Meat Chicken Levy Act 1969

119. The existing section 3 is repealed thus removing the link between the Meat Chicken Levy Act 1969 and the Meat Chicken Levy Collection Act 1969 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 4

120. A definition of 'hatchery' is added.

121. A new subsection 4(2) is also added which permits words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

#### Oilseeds Levy Act 1977

#### Section 3

122. The existing section 3 is repealed thus removing the link between the Oilseeds Levy Act 1985 and the Oilseeds Levy Collection Act 1985 which is itself repealed and the provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 4

123. The existing definition section is being amended with the definitions of 'grower', 'levy year', 'marketing law', and 'processing' omitted. These definitions are incorporated in the main Levies and Charges Collection Bill.

124. A new subsection 4(6) is being added which provides for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

125. References to 'grower' throughout the Act are replaced with 'producer'. The sections effected are:-

- . subsection 4(2)
- . subsection 4(3)
- . subsection 4(4)
- . subsection 5(2)
- . section 7
- . subsection 8(1)
- . subsection 8(2)
- . subsection 8(3)

Pasture Seed Levy Act 1989

126. The existing section 3 is repealed thus removing the link between the Pasture Seed Levy Act 1989 and the Pasture Seed Levy Collection Act 1989 which is in turn repealed and its provisions incorporated into the Primary Industries Levies and Charges Collection Bill 1990.

127. A new subsection 4(2) is added allowing for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

128. The reference to 'grower' in section 8 is substituted by 'producer'.

Pig Industry Act 1986

Section 3

129. The interpretation section is amended by omitting the definition of 'appoint'.

Subsection 12(6) : Definitions of 'Parliament' and 'State'

130. Amended definitions provide for the inclusion of references to the Australian Capital Territory.

Subsection 23(2)

131. The subsection is amended to include reference to the new Levies and Charges Collection Bill.

Pig Slaughter Levy Act 1971

Section 3

132. The existing section 3 is repealed.

Section 4

133. The definition of 'abattoir' is deleted. A new subsection 4(2) is added allowing for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 7

134. Provides for the substitution of the term 'producer' for 'person who owns the pig at the time when the slaughter takes place'.

Poultry Industry Levy Act 1965

Section 3

135. The existing section 3 is repealed.

Section 4

136. A new subsection 4(2) is being added which provide for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

137. In section 7, the expression 'owner' is replaced by 'producer'.

Primary Industries and Energy Research and Development Act 1989

138. Section 35 relating to refunds of levy is repealed. This provision is redundant as appropriate provision for refunds of levy is contained in the Primary Industries Levies and Charges Collection Bill 1990.

Sugar Cane Levy 1987

Section 3

139. The existing section 3 is repealed.

Section 4

140. The existing definition section is being amended with the definitions of 'grower', 'miller', 'organisation', and 'premises' omitted.

141. A new subsection 4(3) is being added providing for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

Section 8

142. Provides that levy is to be paid by the producer. 'Producer' is defined in the Primary Industries Levies and Charges Collection Bill 1990 in such a way as will permit both the miller and the grower to be prescribed as the producer for this purpose. 50 per cent of the levy is to be paid by the miller and 50 per cent by the grower. This retains existing arrangements.

Triticale Levy Act 1988Section 3

143. The existing section 3 is repealed.

Section 4A

144. The interpretation section is added including definitions of 'leviable grain' and 'leviable weight'. A new subsection 4(6) is being added which provides for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

145. References to 'grower' throughout the Act are replaced with 'producer'. The provisions effected are:-

- . paragraph 5(a)
- . section 7
- . subsection 8(1)
- . subsection 8(2)
- . subsection 8(3)

Wheat Industry Fund Levy Act 1989Section 3

146. The existing section 3 is repealed.

Section 4A

147. The definition of 'value' and the interpretation of the delivery and receiving of wheat are transferred from the Wheat Industry Fund Levy Collection Act 1989.



148. References to 'grower' throughout the Act are replaced with 'producer'. The provisions effected are:-

- . section 5
- . section 7
- . subsection 8(1)
- . subsection 8(2)

#### Wheat Marketing Act 1989

149. Section 84 is amended by replacing the definitions of 'levy' and 'value'. The new definitions reflect changes arising from the enactment of the Primary Industries Levies and Charges Collection Bill 1990.

#### Wine Grapes Levy Act 1979

150. The existing section 3 is repealed.

151. The definitions of 'proprietor' and 'year' are omitted from subsection 4(1). A new subsection 4(6) is added allowing for words and expressions not defined in this Act to have the same meaning as those defined in the Primary Industries Levies and Charges Collection Bill 1990.

#### Section 7

152. Provides that levy is payable by the producer.

#### SCHEDULE 2-REPEAL OF ACTS

153. The Acts to be repealed are listed in this schedule.

#### SCHEDULE 3-PROVISIONS THAT PROVIDE FOR THE REVIEW OF DECISIONS

154. The Acts which contain provisions entitling a person to make an application to the AAT for review of a decision are set out in the Schedule.



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