

# DRIED VINE FRUITS CONTRIBUTORY CHARGES.

No. 43 of 1964.

An Act to impose Contributory Charges upon certain Dried Vine Fruits.

[Assented to 28th May, 1964.]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *Dried Vine Fruits Contributory Charges Act 1964*. Short title.

2. This Act shall come into operation on the day on which it receives the Royal Assent. Commencement.

3. The *Dried Vine Fruits Contributory Charges (Collection) Act 1964* shall, for the purposes of interpretation, be read as one with this Act. Collection Act to be read as one with this Act.

4.—(1.) In this Act, unless the contrary intention appears— Interpretation.  
“charge” means contributory charge imposed by this Act;  
“season” means a season to which the *Dried Vine Fruits Stabilization Act 1964* applies.

(2.) Expressions used in this Act that are defined by section three of the *Dried Vine Fruits Stabilization Act 1964* have the same meanings as they have in that Act.

5.—(1.) Subject to this Act, where— Imposition of charges.  
(a) the quantity of currants of a season received for packing exceeds eight thousand tons; and  
(b) the average return for currants of that season exceeds the cost of production by more than Five pounds,  
a contributory charge is imposed on currants of that season received for packing.

(2.) Subject to this Act, where—

(a) the quantity of sultanas of a season received for packing exceeds fifty thousand tons; and

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(b) the average return for sultanas of that season exceeds the cost of production by more than Five pounds, a contributory charge is imposed on sultanas of that season received for packing.

(3.) Subject to this Act, where—

(a) the quantity of raisins of a season received for packing exceeds six thousand tons; and

(b) the average return for raisins of that season exceeds the cost of production by more than Five pounds, a contributory charge is imposed on raisins of that season received for packing.

Incidence  
of charges.

6.—(1.) Where any fruit received for packing has been purchased by the packer or received by him under a contract or arrangement that permits or requires him to sell, or arrange for the sale of, the packed fruit derived from the fruit received for packing and to receive the net proceeds of the sale, the packer is liable to pay the charge on the fruit received for packing.

(2.) Where the last preceding sub-section does not apply, the grower of the fruit received for packing is liable to pay the charge on that fruit.

Declaration  
that charge  
not payable.

7. If, in relation to currants, sultanas or raisins of a season—

(a) it is found, when the average return has been determined, that charge is not payable; or

(b) the Minister is satisfied, at any time before the average return has been determined, that charge will not be payable,

the Minister shall, by notice published in the *Gazette*, declare that charge is not payable in respect of currants, sultanas or raisins, as the case may be, of that season, and, after the publication of that notice, charge is not payable in respect of currants, sultanas or raisins, as the case may be, of that season.

Rates of  
the charges.

8.—(1.) If, when the average return in respect of currants, sultanas or raisins of a season has been determined, charge is found to be payable in respect of currants, sultanas or raisins, as the case may be, of that season, the Minister shall, by notice published in the *Gazette*—

(a) declare that charge is so payable; and

(b) declare the rate of the charge, as determined by him in accordance with the succeeding provisions of this section,

and, after publication of the notice, charge is payable as declared by the notice and at the rate declared by the notice.

(2.) The rate per ton of the charge on currants, sultanas or raisins of a season shall, subject to the next succeeding sub-section, be determined in accordance with the formula:—

$$\frac{A (B - (C + £5) )}{D}$$

where—

“ *A* ” is the number that, in the opinion of the Minister, is the number of tons of currants, sultanas or raisins, as the case may be, received for packing from which were derived the packed currants, packed sultanas or packed raisins of the season that have been, or will be, sold;

“ *B* ” is the average return for currants, sultanas or raisins, as the case may be, of the season;

“ *C* ” is the cost of production of currants, sultanas or raisins, as the case may be, of the season; and

“ *D* ” is a number equal to the number of tons of currants, sultanas or raisins, as the case may be, of the season received for packing.

(3.) Where the rate per ton of any charge as ascertained in accordance with the formula contained in the last preceding sub-section would exceed Ten pounds, the rate per ton of the charge to be determined by the Minister shall be Ten pounds.

9. For the purpose of securing the collection of the charges imposed by this Act, provisional charge is imposed in accordance with the provisions of the *Dried Vine Fruits Contributory Charges (Collection) Act 1964*.

Provisional  
charge.