



## **Meat Export Charge Act 1984**

**No. 153 of 1984**

**An Act to impose a charge on the making of certain applications in relation to the export of meat and meat products**



---

## Contents

1 Short title.....	1
2 Commencement.....	1
3 Interpretation .....	2
4 Act to bind Crown .....	3
5 Imposition of charge.....	3
6 Rate of charge.....	5
7 Weight of meat, etc.....	5
8 Regulations.....	6





# Meat Export Charge Act 1984

No. 153 of 1984

---

---

## **An Act to impose a charge on the making of certain applications in relation to the export of meat and meat products**

[Assented to 25 October 1984]

The Parliament of Australia enacts:

### **1 Short title**

This Act may be cited as the *Meat Export Charge Act 1984*.

### **2 Commencement**

This Act shall come into operation on a day to be fixed by Proclamation.

---

## Section 3

---

### 3 Interpretation

- (1) In this Act, unless the contrary intention appears:

**charge** means charge imposed by this Act.

**covering** includes any stopper, glass, bottle, vessel, box, container, capsule, case, frame or wrapper.

**Export Control Act** means the *Export Control Act 1982*.

**export permit** means a permit of that name provision for the granting of which is made for the purposes of section 7 of the Export Control Act in regulations or orders made under that Act.

**fish** includes crustacea, oysters and other shell fish and all other forms of aquatic animal life.

**meat** means tissue of animals other than:

- (a) rabbits, hares, birds or fish; or
- (b) wild animals (not being rabbits, hares, birds or fish) that are killed in their natural habitat;

but does not include:

- (c) bone; or
- (d) any tissue, or tissue included in a class of tissue, that is prescribed by the regulations for the purposes of this definition.

**meat product** means a product the ingredients used in the production of which include not less than 5% by weight of meat other than a product, or a product included in a class of products, that is prescribed by the regulations for the purposes of this definition.

- (2) For the purposes of this Act, the completion and lodgement of a notice of intention to export meat or meat products (being a notice of the kind referred to in section 6 of the Export Control Act) in accordance with the requirements of that Act, shall be deemed to constitute the making of an application of the kind referred to in paragraph 5(1)(a) of this Act.

- (3) For the purposes of this Act, the completion and lodgement, in a manner specified in the regulations, of a form of a kind specified in the regulations, shall be deemed to constitute the making of an application of the kind referred to in paragraph 5(1)(b).
- (4) The regulations may specify a period commencing upon the day of grant of an export permit in relation to meat or meat products to be, for the purposes of this Act, the relevant period in relation to that meat or those meat products.

#### **4 Act to bind Crown**

This Act binds the Crown in right of each of the States and of the Northern Territory.

#### **5 Imposition of charge**

- (1) Subject to this section, charge is imposed on the making of:
  - (a) applications for the grant of export permits authorizing the export of meat or meat products from Australia; and
  - (b) applications for the issue of certificates under section 23 of the Export Control Act in relation to the import from Australia into another country of meat that is, or meat products that are, intended for human consumption.
- (2) Subsection (1) does not apply to an application made in relation to meat or meat products:
  - (a) that is not, or are not, prescribed goods for the purposes of the Export Control Act; or
  - (b) that is, or are, prescribed goods for the purposes of that Act but that is not, or are not, intended for human consumption.
- (3) Where:
  - (a) a person makes an application of the kind referred to in paragraph (1)(a) (in this subsection referred to as the ***first application***) in relation to meat or meat products; and
  - (b) at the time of making that application the person indicates, in a manner referred to in subsection 6(1) of the *Meat Export Charge Collection Act 1984*, that an application of the kind referred to in paragraph (1)(b) will be made in relation to that meat or those meat products;

## Section 5

---

charge is not imposed on the making of the first application unless, before the expiration of the relevant period in relation to that meat or those meat products, an application of the kind referred to in paragraph (1)(b) is not made in relation to that meat or those meat products.

(4) Where:

- (a) a person makes an application of the kind referred to in paragraph (1)(a) in relation to meat or meat products;
- (b) at the time of making that application the person indicates, in a manner referred to in subsection 6(1) of the *Meat Export Charge Collection Act 1984*, that an application of the kind referred to in paragraph (1)(b) (in this subsection referred to as a **second application**) will not be made in relation to that meat or those meat products; and
- (c) that person or another person subsequently makes, before the expiration of the relevant period in relation to that meat or those meat products, a second application in relation to some or all of that meat or those meat products;

charge is not imposed on the making of the second application.

(5) Where:

- (a) a person makes an application of the kind referred to in paragraph (1)(a) (in this subsection referred to as the **first application**) in relation to meat or meat products;
- (b) at the time of making that application the person indicates, in a manner referred to in subsection 6(1) of the *Meat Export Charge Collection Act 1984*, that an application of the kind referred to in paragraph (1)(b) (in this subsection referred to as a **second application**) will be made in relation to that meat or those meat products; and
- (c) the person or another person subsequently makes a second application, before the expiration of the relevant period in relation to that meat or those meat products, in relation to part only of that meat or those meat products;

charge is imposed:

- (d) on the second application in relation to the meat or meat products the subject of the second application; and

- (e) on the first application as if that application related only to that part of that meat or those meat products not the subject of the second application.
- (6) Where, after the expiration of the relevant period in relation to particular meat or meat products, an application of the kind referred to in paragraph (1)(b) is made in relation to that meat or those meat products, charge is not imposed on the making of that application.

## **6 Rate of charge**

- (1) The rate of charge on the making of an application of the kind referred to in paragraph 5(1)(a) or (b) in relation to meat is such rate, not exceeding 4.8 cents for each kilogram of meat to which the application relates, as is prescribed.
- (2) The rate of charge on the making of an application of the kind referred to in paragraph 5(1)(a) or (b) in relation to meat products is such rate, not exceeding 4.8 cents per kilogram, for each kilogram of meat that was used as an ingredient in the production of those meat products, as is prescribed.

## **7 Weight of meat, etc.**

- (1) For the purposes of this Act:
  - (a) where meat or a meat product is packed, or is to be packed, in a covering, the weight of the covering shall be disregarded; and
  - (b) where meat or a meat product is packed, or is to be packed, in a covering together with another substance not being meat or a meat product, the weight of the other substance shall be disregarded.
- (2) Where a person makes an application in respect of the making of which charge is imposed, the person may lodge with the application a certificate in a form approved by the Secretary of the Department for the purposes of this subsection, being a certificate setting out:
  - (a) in a case where the application relates to meat—the weight of that meat; or

## Section 8

---

- (b) in a case where the application relates to meat products—the weight of the meat that was used as an ingredient in the production of those meat products;

and where such a certificate is lodged, the weight set out in the certificate shall, for the purposes of this Act, subject to any provision of the regulations relating to the manner of determining the weight of meat, or the weight of meat used as an ingredient in the production of meat products, be deemed to be the weight of that meat or of the meat so used in those meat products.

### 8 Regulations

The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act;

and, in particular, prescribing the manner of determining the weight of meat including meat contained in, or used in the production of, meat products or of meat products included in a class of meat products.