

**Australian Meat and Live-stock Corporation
Amendment Act 1990**

**No. 113 of 1990**

**An Act to amend the *Australian Meat and Live-stock
Corporation Act 1977*, and for related purposes**

[*Assented to 21 December 1990*]

The Parliament of Australia enacts:

**Short title etc.**

**1. (1)** This Act may be cited as the *Australian Meat and Live-stock Corporation Amendment Act 1990.*

(**2**) In this Act, **“Principal Act”** means the *Australian Meat and Live-stock Corporation Act 1977*1*.*

**Commencement**

**2. (1)** Subject to subsection (2), this Act commences on the commencement of the *Australian Meat and Live-stock (Quotas) Act 1990.*

(**2**) Section 8 commences on 1 January 1992.

**Restriction of persons who may export to certain markets**

**3.** Section 16l of the Principal Act is amended by omitting from subsection (1a) “30na (3)” and substituting “30n (5) (b)”.

**4.** After section 16u of the Principal Act the following Division is inserted in Part II:

***“Division 3***—***Export Quotas***

**Definitions**

“16v. Expressions in this Division have the same meanings as in subsection 3 (1) of the *Australian Meat and Live-stock (Quotas) Act 1990.*

**Quotas to be in accordance with corporate plan**

“16w. The granting of quotas must be in accordance with guidelines set out in the corporate plan.

**Variation of quotas**

“16x. (1) The Corporation may at any time, by notice in writing given to the holder of a quota, vary any or all of the following:

(a) the period of validity of the quota;

(b) the quantity or description of goods covered by the quota;

(c) the condition or conditions of the quota.

“(2) Variations of quotas must not be inconsistent with the guidelines set out in the corporate plan.

**Reimbursement for reduction of rights under quota**

“16y. If:

(a) a quota was granted to the holder by sale; and

(b) the quota is varied so as to reduce the rights granted by the quota;

the Corporation must repay to the holder a proportionate amount of the sale price, as calculated in accordance with the guidelines set out in the corporate plan.

**Review of decisions**

“16z. Application may be made to the Administrative Appeals Tribunal for review of a decision of the Corporation to:

(a) fix the period of validity of a quota; or

(b) make a variation of a quota under paragraph 16x (1) (a), (b) or (c).

**Statements to accompany notification of decisions**

“16za. (1) Where a decision of a kind referred to in section 16z is made and a notice in writing of the decision is given to a person whose interests are affected by the decision, the notice must include:

(a) a statement to the effect that, if the person is dissatisfied with the decision, application may, subject to the *Administrative Appeals Tribunal Act 1975*,be made to the Administrative Appeals Tribunal for review of the decision; and

(b) except where subsection 28 (4) of that Act applies, a statement to the effect that the person may request a statement under section 28 of that Act.

“(2) A failure to comply with subsection (1) does not affect the validity of the decision.

**Licensees to comply with quota system**

“16zb. An export licence is subject to the condition that the holder must comply with subsection 5 (2) of the *Australian Meat and Live-stock (Quotas) Act 1990.*

**Guidelines to be made available on request**

“16zc. The Corporation must, if requested by an exporter, make available to the exporter the guidelines set out in the corporate plan relating to quotas.

**Concurrent operation of the Australian Meat and Live-stock (Quotas) Act, this Division and Division 2**

“16zd. The *Australian Meat and Live-stock (Quotas) Act 1990* and this Division operate in addition to, and not in substitution for, any provision of Division 2.”.

**Corporation to prepare and review corporate plan**

**5.** Section 30n is amended by inserting after paragraph (5) (b) the following paragraph:

“(ba) include guidelines setting out:

(i) the considerations to be taken into account by the Corporation in deciding whether to establish systems of quotas in relation to particular countries, and the criteria for granting those quotas; and

(ii) the way in which quotas are to be sold or allocated; and

(iii) the purposes for which, and the ways in which, quotas may be varied; and

(iv) the way in which reimbursements for reductions of rights under quotas are to be calculated; and

(v) the purposes for which money received from the sale of quotas is to be applied; and”.

**Application of money**

**6.** Section 37 of the Principal Act is amended by inserting after subsection (1) the following subsection:

“(1a) Money received from the sale of quotas under the *Australian Meat and Live-stock (Quotas) Act 1990* must be applied in accordance with the guidelines set out in the corporate plan.”.

**Annual report**

**7.** Section 49 of the Principal Act is amended by inserting after paragraph (2) (a) the following paragraph:

“(aa) particulars of any quotas sold or allocated during the year, including the names of the holders; and”.

**Repeal**

**8.** Section 16j of the Principal Act (meat quotas) is repealed.

**NOTE**

1. No. 67, 1977, as amended. For previous amendments, see No. 36, 1978; No. 76, 1979; No. 167, 1980; Nos. 61 and 150, 1981; Nos. 46 and 48, 1982; No. 57, 1984; No. 13, 1985; No. 77, 1986; No. 155, 1987; Nos. 51, 99 and 111, 1988; and No. 88, 1989.

[*Minister’s second reading speech made in*—

*House of Representatives on 7 November 1990*

*Senate on 13 November 1990*]