



Live-stock (Producers) Export Charges Act 1997

No. 217, 1997



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**An Act to impose charges, payable by producers,
on the export of certain live-stock, and for purposes
dealing with the imposition of the charges**

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**An Act to impose charges, payable by producers,
on the export of certain live-stock, and for purposes
dealing with the imposition of the charges**

[Assented to 17 December 1997]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Live-stock (Producers) Export
Charges Act 1997*.

2 Commencement

This Act commences at the commencement of Part 3 of the *Australian Meat and Live-stock Industry Act 1997*.

3 Definitions

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

AAHC means the Australian Animal Health Council Limited, A.C.N. 071-890-956.

charge means a charge imposed by this Act.

commencing day means the day on which this Act commences.

lamb means a sheep that has not cut a permanent incisor tooth.

live-stock means sheep, lambs and goats.

marketing body has the same meaning as in Part 3 of the *Australian Meat and Live-stock Industry Act 1997*.

research body has the same meaning as in Part 3 of the *Australian Meat and Live-stock Industry Act 1997*.

sheep does not include lambs.

- (2) Unless the contrary intention appears, a word or expression has the same meaning in this Act as it has in the *Primary Industries Levies and Charges Collection Act 1991*.

4 Imposition of charges

- (1) A charge is imposed on the export of live-stock from Australia after the commencement of this Act if levy under the *Live-stock Transactions Levy Act 1997* has not been paid, and is not payable, in respect of an act or transaction relating to the live-stock.
- (2) A charge is imposed on the export of live-stock from Australia after the commencement of this Act if:

- (a) the live-stock were purchased by the exporter, whether before or after the commencement of this Act; and
- (b) the period starting on the date of the purchase and ending on the date of the export is longer than the longest of the following periods:
 - (i) 30 days;
 - (ii) the period for which the live-stock are required under the *Quarantine Act 1908* to be held in quarantine before being exported;
 - (iii) the period for which the live-stock are required under the law of the country to which they are being exported to be held in quarantine before being exported.

5 Rate of charges on sheep

The rate of each of the charges imposed by section 4 on the export of each head of sheep is the sum of the following amounts:

- (a) the prescribed amount (not exceeding 40 cents), for the purpose of payment to the marketing body;
- (b) the prescribed amount (not exceeding 12 cents), for the purpose of payment to the research body;
- (c) the prescribed amount (not exceeding 15 cents), for the purpose of payment to the AAHC.

6 Rate of charges on lambs

The rate of each of the charges imposed by section 4 on the export of each head of lambs is the sum of the following amounts:

- (a) the prescribed amount (not exceeding 90 cents), for the purpose of payment to the marketing body;
- (b) the prescribed amount (not exceeding 37 cents), for the purpose of payment to the research body;
- (c) the prescribed amount (not exceeding 15 cents), for the purpose of payment to the AAHC.

7 Rate of charges on goats

The rate of each of the charges imposed by section 4 on the export of each head of goats is the sum of the following amounts:

- (a) the prescribed amount (not exceeding \$1.02), for the purpose of payment to the marketing body;
- (b) the prescribed amount (not exceeding 25 cents), for the purpose of payment to the research body;
- (c) the prescribed amount (not exceeding 15 cents), for the purpose of payment to the AAHC.

8 Charge payable by producers

A charge payable on the export of live-stock from Australia is payable by the producer of the live-stock.

9 Regulations

- (1) The Governor-General may make regulations prescribing all 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.
- (2) The Minister may, by notice in the *Gazette*, declare a body to be the body whose recommendations about the amount to be prescribed for the purposes of paragraph 5(a), 5(b), 5(c), 6(a), 6(b), 6(c), 7(a), 7(b) or 7(c) are to be taken into consideration under subsection (3).
- (3) If a declaration is in force under subsection (2), the Governor-General's power to make regulations prescribing an amount for the purposes of the paragraph to which the declaration relates is exercisable only on the advice of the Executive Council given after the Council has taken into consideration any recommendations about the amount made to the Minister by the body specified in the declaration in relation to that paragraph.

*[Minister's second reading speech made in the—
House of Representatives on 1 October 1997
Senate on 29 October 1997]*

(155/97)