



National Residue Survey Administration Amendment Act 1998

No. 31, 1998



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***An Act to amend the *National Residue Survey
Administration Act 1992*, and for other purposes***

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National Residue Survey Administration Amendment Act 1998

No. 31, 1998

An Act to amend the *National Residue Survey Administration Act 1992*, and for other purposes

[Assented to 17 April 1998]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *National Residue Survey
Administration Amendment Act 1998*.

2 Commencement

- (1) Subject to this section, this Act commences on the day on which it receives the Royal Assent.
- (2) Schedule 1 is taken to have commenced on 1 February 1994.

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- (3) Subject to subsection (4), Schedules 2 and 3 commence on a day to be fixed by Proclamation.
 - (4) If Schedules 2 and 3 do not commence under subsection (3) within the period of 6 months beginning on the day on which this Act receives the Royal Assent, they commence on the first day after the end of that period.

3 Schedule(s)

Subject to section 2, each Act, and each set of regulations, that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments commencing on 1 February 1994

National Residue Survey Administration Act 1992

1 At the end of section 9

Add:

- (4) For the purposes of this section, a person is taken to have become liable to pay a charge in respect of onions under the *Horticultural Export Charge Act 1987* even if the rate of the charge is \$0.00 per tonne.

Primary Industries Levies and Charges Collection (National Residue Survey—Onion) Regulations

2 Regulation 4 (definition of *NRS Levy*)

Repeal the definition, substitute:

NRS Levy means:

- (a) National Residue Survey Levy imposed on onions by the *National Residue Survey (Horticultural Products Export) Levy Act 1992*; or
- (b) so much of the levy imposed on onions by the *Levy Act* as is attributable to the rate of levy prescribed for the purposes of section 10 of the *Levy Act*.

3 Regulation 4 (definition of *NRS Levy Act*)

Repeal the definition, substitute:

NRS Levy Act means the *National Residue Survey (Horticultural Products Export) Levy Act 1992*.

4 Regulation 13

Omit “NRS” (second occurring).

Note: The heading to Regulation 13 is altered by omitting “NRS”.

5 Regulation 13

Omit “in relation to which there is liability to pay charge”.

6 Regulation 14

Omit “NRS”.

Note: The heading to Regulation 14 is altered by omitting “NRS”.

7 Regulation 15

After “amount of”, insert “NRS”.

8 Transitional—regulations may be amended

This Schedule does not prevent the amendment or repeal of the Primary Industries Levies and Charges Collection (National Residue Survey—Onion) Regulations by regulations made under:

- (a) the *Horticultural Export Charge Act 1987*; or
- (b) the *Horticultural Levy Act 1987*; or
- (c) the *National Residue Survey Administration Act 1992*; or
- (d) the *Primary Industries Levies and Charges Collection Act 1991*.

Schedule 2—Amendments commencing on Proclamation

National Residue Survey Administration Act 1992

1 Title

Omit “and to provide for the collection of National Residue Survey Levy imposed by various Acts”.

2 Section 4 (definition of *National Residue Survey Levy*)

Repeal the definition, substitute:

National Residue Survey Levy means levy of that name payable under:

- (a) the *National Residue Survey (Customs) Levy Act 1998*; or
- (b) the *National Residue Survey (Excise) Levy Act 1998*.

3 Section 4 (definition of *Related Act*)

Repeal the definition.

4 Section 4 (definition of *Table*)

Repeal the definition.

5 Section 5

Repeal the section.

6 Part 4

Repeal the Part.

7 Schedule

Repeal the Schedule.

8 Transitional—pre-commencement levies

- (1) Despite the repeals made by Schedule 3, a repealed Act specified in the second column of the table in subitem (3) continues to apply, in relation

Schedule 2 Amendments commencing on Proclamation

to the corresponding matter specified in the third column of that table, as if those repeals had not been made.

- (2) Despite the amendments and repeals made by this Schedule and Schedule 3, the *National Residue Survey Administration Act 1992* and the *Primary Industries Levies and Charges Collection Act 1991* continue to apply, in relation to National Residue Survey Levy imposed:
- (a) by a repealed Act specified in the second column of the table in subitem (3); and
 - (b) in respect of the corresponding matter specified in the third column of that table;
- as if those amendments and repeals had not been made.
- (3) The table is as follows:

Pre-commencement levies		
Item	Repealed Act	Matter in respect of which the repealed Act continues to apply
1	<i>National Residue Survey (Aquatic Animal Export) Levy Act 1992</i>	Aquatic animals or aquatic animal products exported from Australia before the commencement of Schedule 1 to the <i>National Residue Survey (Customs) Levy Act 1998</i>
2	<i>National Residue Survey (Buffalo Slaughter) Levy Act 1997</i>	Buffaloes slaughtered before the commencement of subclause 1(1) of Schedule 11 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
3	<i>National Residue Survey (Cattle Export) Levy Act 1997</i>	Cattle exported from Australia before the commencement of Schedule 2 to the <i>National Residue Survey (Customs) Levy Act 1998</i>

Pre-commencement levies		
Item	Repealed Act	Matter in respect of which the repealed Act continues to apply
4	<i>National Residue Survey (Cattle Transactions) Levy Act 1997</i>	<p>Either:</p> <p>(a) a transaction entered into before the commencement of Schedule 1 to the <i>National Residue Survey (Excise) Levy Act 1998</i> by which the ownership of cattle is transferred; or</p> <p>(b) the delivery or slaughter of cattle before the commencement of that Schedule</p>
5	<i>National Residue Survey (Coarse Grains) Levy Act 1992</i>	Leviable coarse grain delivered or processed before the commencement of Schedule 2 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
6	<i>National Residue Survey (Dairy Produce) Levy Act 1992</i>	<p>Any of the following:</p> <p>(a) relevant dairy produce supplied by the producer before the commencement of Schedule 3 to the <i>National Residue Survey (Excise) Levy Act 1998</i>;</p> <p>(b) relevant dairy produce delivered to a manufacturer by the producer before the commencement of that Schedule;</p> <p>(c) relevant dairy produce produced by a manufacturer, and used by the manufacturer, before the commencement of that Schedule</p>
7	<i>National Residue Survey (Dried Fruits) Levy Act 1992</i>	Dried fruits received before the commencement of Schedule 4 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
8	<i>National Residue Survey (Game Animals) Levy Act 1992</i>	Game animals processed at a processing establishment before the commencement of Schedule 5 to the <i>National Residue Survey (Excise) Levy Act 1998</i>

Schedule 2 Amendments commencing on Proclamation

Pre-commencement levies		
Item	Repealed Act	Matter in respect of which the repealed Act continues to apply
9	<i>National Residue Survey (Grain Legumes) Levy Act 1992</i>	Leviable grain legumes delivered or processed before the commencement of Schedule 6 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
10	<i>National Residue Survey (Honey Export) Levy Act 1992</i>	Honey exported from Australia before the commencement of Schedule 3 to the <i>National Residue Survey (Customs) Levy Act 1998</i>
11	<i>National Residue Survey (Honey) Levy Act 1992</i>	Either: (a) honey sold before the commencement of Schedule 7 to the <i>National Residue Survey (Excise) Levy Act 1998</i> ; or (b) honey used before the commencement of that Schedule in the production of other goods
12	<i>National Residue Survey (Horse Slaughter) Levy Act 1992</i>	Horses slaughtered before the commencement of Schedule 8 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
13	<i>National Residue Survey (Horticultural Products Export) Levy Act 1992</i>	Horticultural products exported from Australia before the commencement of Schedule 4 to the <i>National Residue Survey (Customs) Levy Act 1998</i>
14	<i>National Residue Survey (Horticultural Products) Levy Act 1992</i>	Either: (a) horticultural products sold or used before the commencement of Schedule 9 to the <i>National Residue Survey (Excise) Levy Act 1998</i> ; or (b) horticultural products presumed to be produced in Australia before the commencement of that Schedule
15	<i>National Residue Survey (Laying Chicken) Levy Act 1992</i>	Laying chickens hatched before the commencement of Schedule 10 to the <i>National Residue Survey (Excise) Levy Act 1998</i>

Pre-commencement levies		
Item	Repealed Act	Matter in respect of which the repealed Act continues to apply
16	<i>National Residue Survey (Livestock Slaughter) Levy Act 1992</i>	Deer or pigs slaughtered before the commencement of Schedule 11 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
17	<i>National Residue Survey (Meat Chicken) Levy Act 1992</i>	Meat chickens hatched before the commencement of Schedule 12 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
18	<i>National Residue Survey (Oilseeds) Levy Act 1992</i>	Leviable oilseeds delivered or processed before the commencement of Schedule 13 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
19	<i>National Residue Survey (Ratite Slaughter) Levy Act 1997</i>	Ratites slaughtered before the commencement of Schedule 14 to the <i>National Residue Survey (Excise) Levy Act 1998</i>
20	<i>National Residue Survey (Sheep, Lambs and Goats Export) Levy Act 1997</i>	Sheep, lambs or goats exported from Australia before the commencement of Schedule 5 to the <i>National Residue Survey (Customs) Levy Act 1998</i>
21	<i>National Residue Survey (Sheep, Lambs and Goats Transactions) Levy Act 1997</i>	Either: (a) a transaction entered into before the commencement of Schedule 15 to the <i>National Residue Survey (Excise) Levy Act 1998</i> by which the ownership of sheep, lambs or goats is transferred; or (b) the delivery or slaughter of sheep, lambs or goats before the commencement of that Schedule
22	<i>National Residue Survey (Wheat) Levy Act 1992</i>	Wheat delivered or processed before the commencement of Schedule 16 to the <i>National Residue Survey (Excise) Levy Act 1998</i>

Primary Industries Levies and Charges Collection Act 1991

9 Subsection 4(4)

Repeal the subsection, substitute:

- (4) Unless the contrary intention appears, for the purposes of the collection of a particular levy or charge, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in:
- (a) an associated Act for the purposes of the imposition of the levy or charge by that Act; or
 - (b) a Schedule to an associated Act for the purposes of the imposition of the levy or charge by that Schedule;
- has the same meaning in this Act as in the associated Act or that Schedule, as the case may be.

10 Schedule 2

Omit:

National Residue Survey (Aquatic Animal Export) Levy Act 1992

National Residue Survey (Buffalo Slaughter) Levy Act 1997

National Residue Survey (Cattle Export) Levy Act 1997

National Residue Survey (Cattle Transactions) Levy Act 1997

National Residue Survey (Game Meat) Levy Act 1992

National Residue Survey (Horse Slaughter) Levy Act 1992

National Residue Survey (Sheep, Lambs and Goats Export) Levy Act 1997

National Residue Survey (Sheep, Lambs and Goats Transactions) Levy Act 1997

11 Schedule 2

Insert in their appropriate alphabetical positions, determined on a letter-by-letter basis:

National Residue Survey (Customs) Levy Act 1998

National Residue Survey (Excise) Levy Act 1998

Schedule 3—Repeal of Acts

1 Repeal of Acts

The Acts specified in this Schedule are repealed.

National Residue Survey (Aquatic Animal Export) Levy Act 1992

National Residue Survey (Buffalo Slaughter) Levy Act 1997

National Residue Survey (Cattle Export) Levy Act 1997

National Residue Survey (Cattle Transactions) Levy Act 1997

National Residue Survey (Coarse Grains) Levy Act 1992

National Residue Survey (Dairy Produce) Levy Act 1992

National Residue Survey (Dried Fruits) Levy Act 1992

National Residue Survey (Game Animals) Levy Act 1992

National Residue Survey (Grain Legumes) Levy Act 1992

National Residue Survey (Honey Export) Levy Act 1992

National Residue Survey (Honey) Levy Act 1992

National Residue Survey (Horse Slaughter) Levy Act 1992

National Residue Survey (Horticultural Products Export) Levy Act 1992

***National Residue Survey (Horticultural Products) Levy Act
1992***

National Residue Survey (Laying Chicken) Levy Act 1992

***National Residue Survey (Livestock Slaughter) Levy Act
1992***

National Residue Survey (Meat Chicken) Levy Act 1992

National Residue Survey (Oilseeds) Levy Act 1992

National Residue Survey (Ratite Slaughter) Levy Act 1997

***National Residue Survey (Sheep, Lambs and Goats Export)
Levy Act 1997***

***National Residue Survey (Sheep, Lambs and Goats
Transactions) Levy Act 1997***

National Residue Survey (Wheat) Levy Act 1992

*[Minister's second reading speech made in—
House of Representatives on 4 March 1998
Senate on 31 March 1998]*

(4/98)

