



Statutory Rules 1985 No. 365¹

Honey Levy Collection Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Regulations under the *Honey Levy Collection Act 1962*.

Dated 19 December 1985.

N. M. STEPHEN
Governor-General

By His Excellency's Command,

JOHN KERIN
Minister of State for Primary Industry

Commencement

1. These Regulations shall come into operation on 1 January 1986.

Principal Regulations

2. In these Regulations, "Principal Regulations" means the Honey Levy Collection Regulations.

Interpretation

3. Regulation 2 of the Principal Regulations is amended by omitting from the definition of "return" in sub-regulation (1) "in pursuance of sub-regulation (1) of regulation 4 of these Regulations" and substituting "pursuant to sub-regulation 4 (1) or (1A)".

Returns

4. Regulation 4 of the Principal Regulations is amended—

(a) by omitting sub-regulation (1) and substituting the following sub-regulations:

"(1) Subject to sub-regulation (2), a person, other than a producer, who during a month sells honey or uses honey in the production of other goods, shall, within 28 days after the last day of that month, furnish to the Secretary a return containing the prescribed particulars.

“(1A) Where a producer, in a year, sells honey, by a prescribed sale, and that honey, together with the honey, if any, used by the producer in that year in the production of other goods, weighs more than 600 kilograms, the producer shall, not later than 28 February of the year next following the year in which the honey was so sold or used, as the case may be, by the producer, furnish to the Secretary a return containing the prescribed particulars.

“(1B) In this regulation, ‘prescribed particulars’ means—

- (a) in the case of a return furnished by a person other than a producer—
 - (i) the full name and address of the person furnishing the return;
 - (ii) the month to which the return relates;
 - (iii) the quantity of honey sold;
 - (iv) the quantity of honey used in the production of other goods;
 - (v) the total quantity of honey so sold or used; and
 - (vi) the total amount of levy payable; and
- (b) in the case of a return furnished by a producer—
 - (i) the full name and address of the producer;
 - (ii) the year to which the return relates;
 - (iii) the quantity of honey sold by the producer, by a prescribed sale;
 - (iv) the quantity of honey used by the producer in the production of other goods;
 - (v) the total quantity of honey so sold or used by the producer; and
 - (vi) the total amount of levy payable.”;
- (b) by omitting from sub-regulation (2) “the last preceding sub-regulation” and substituting “sub-regulation (1) or (1A)”;
- (c) by adding at the end the following sub-regulation:

“(5) A return under this regulation shall contain a declaration signed by the person furnishing the return, or his or her authorized agent, stating that the information furnished in the return is true.”.

5. Regulation 7 of the Principal Regulations is repealed and the following regulations are substituted:

Authorized agents

“7. (1) A person who is required to furnish a return under regulation 4 may, by instrument, signed by that person, appoint a person to be his or her authorized agent for the purposes of signing a declaration contained in that return.

“(2) An instrument referred to in sub-regulation (1)—

- (a) shall be in accordance with the form in the Second Schedule: and

- (b) shall be lodged with the person to whom a return referred to in regulation 4 is to be lodged.

Execution of documents by a company, &c.

"8. Where a person required by these Regulations to sign a declaration referred to in sub-regulation 4 (5), or an instrument referred to in sub-regulation 7 (1), is a company, co-operative society or authority, the declaration or appointment, as the case may be, shall be signed by a director or secretary of the company, co-operative society or authority on behalf of the company, co-operative society or authority, as the case requires."

Second Schedule

6. The Second Schedule to the Principal Regulations is amended

- (a) by omitting Form 1; and
 (b) by omitting Form 2 and substituting the following form:

FORM

Sub-regulation 7 (2)

COMMONWEALTH OF AUSTRALIA

Honey Levy Collection Regulations

APPOINTMENT OF AUTHORIZED AGENT

To the Secretary to the Department of (*name of the Department*):

I (*full name and address of signatory and, where the person required to furnish the return is not a natural person, the designation of the signatory*)

*acting for and on behalf of (*name of company, co-operative society or authority*), hereby appoint (*full name, address and occupation of authorized agent*), a specimen of whose signature appears below, to be *my authorized agent/*the authorized agent of (*name of company, co-operative society or authority*) for the purposes of signing the declaration contained in any return prepared for the purposes of regulation 4 of the Honey Levy Collection Regulations.

Dated 19 .

.....
 (Signature)

Dated 19 .

.....
 (Signature of authorized agent)

*Strike out if inapplicable

NOTES

1. Notified in the *Commonwealth of Australia Gazette* on 20 December 1985.
2. Statutory Rules 1963 No. 16 as amended by 1967 No. 5; 1974 No. 31.