



Statutory Rules 1991 No. 1<sup>1</sup>

196 /

## Primary Industries Levies and Charges Collection Regulations

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council and under section 4 of the *Acts Interpretation Act 1901*, make the following Regulations under the *Primary Industries Levies and Charges Collection Act 1991*.

Dated 27 June 1991.

BILL HAYDEN

Governor-General

By His Excellency's Command,

Simon Crean

Minister of State for Primary Industries  
and Energy

### Citation

1. These Regulations may be cited as the Primary Industries Levies and Charges Collection Regulations.

### Interpretation

2. In these Regulations, unless the contrary intention appears: "Collection Act" means the *Primary Industries Levies and Charges Collection Act 1991*.

**To whom must levy or charge be paid?**

**3.** Amounts of levy or charge or other amounts payable to the Commonwealth under:

- (a) the Collection Act; or
- (b) an associated Act; or
- (c) a regulation made under any of those Acts;

must be paid to the Collector of Public Moneys at the office of the Department in Canberra.

**How must documents be signed?**

**4. (1)** A document to be signed by a body corporate for the purposes of a provision of the Collection Act, an associated Act or these Regulations may be signed by:

- (a) a director, secretary or principal officer of the body corporate; or
- (b) an individual authorised in writing under the rules of the body corporate to act on behalf of the body corporate in matters that include matters arising under that provision.

**(2)** A document to be signed by a partnership for the purposes of a provision of the Collection Act, an associated Act or these Regulations may be signed by:

- (a) one of the partners; or
- (b) an individual authorised in writing under the rules of the partnership to act on behalf of the partnership in matters that include matters arising under that provision.

**(3)** A document to be signed by an individual for the purposes of a provision of the Collection Act, an associated Act or these Regulations may be signed by the individual, or by another individual authorised in writing to act on his or her behalf in matters that include matters arising under that provision.

**Records**

**5. (1)** A producer, intermediary or seller of collection products or prescribed goods or services must keep records showing particulars of all dealings by the producer, intermediary or seller in relation to a collection product.

(2) Subregulation (1) does not apply to the following collection products:

- (a) cattle
- (b) live-stock;
- (c) pigs;
- (d) apples;
- (e) pears;
- (f) laying chickens;
- (g) meat chickens;
- (h) barley;
- (i) triticale;
- (j) grain legumes;
- (k) oilseeds;
- (l) pasture seed;
- (m) nursery products;
- (n) citrus;
- (o) avocados;
- (p) potatoes.

#### **Form of warrant to enter premises**

6. For the purposes of section 20 of the Collection Act, a warrant may be in the form set out in the Schedule.

#### **Orders**

7. Subject to section 31 of the Collection Act, the Minister may make orders, not inconsistent with the Collection Act or these Regulations, about anything for which provision may be made by regulations under that Act.

#### **Address of the Secretary**

8. For the purposes of these Regulations, the Secretary's address is:

The Secretary,  
Department of Primary Industries and Energy,  
PO Box E4488,  
Queen Victoria Terrace,  
CANBERRA A.C.T. 2600.

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**SCHEDULE**

Regulation 6

COMMONWEALTH OF AUSTRALIA

WARRANT UNDER SECTION 20 OF THE PRIMARY INDUSTRIES LEVIES AND  
CHARGES COLLECTION ACT 1991

To: (*name of person*), an authorised person for the purposes of section 26 of the *Primary Industries Levies and Charges Collection Act 1991*:

I, <sup>1</sup> ,\*a magistrate/\*a Justice of the Peace, authorise you, with such assistance, and by such force as is necessary and reasonable, to enter the premises at <sup>2</sup> \*during the hours of <sup>3</sup> / \*at any time: to

- \* search the premises for , examine and take stock of, any products,used to produce collection products; \*and/\*or
- \* search the premises for, inspect, take extracts from, and make copies of, any examinable documents within the meaning of that Act; \*and/\*or
- \* seize anything found during the course of the search that you believe, on reasonable grounds, will afford evidence of the contravention of that Act.

This warrant is issued because I am satisfied, by information on oath or affirmation:

1. that there are reasonable grounds for believing:
  - \* that collection products within the meaning of the *Primary Industries Levies and Charges Collection Act 1991* are produced on the premises, by growing or harvesting, or by processing the products of other products;
  - \* that collection products within the meaning of the *Primary Industries Levies and Charges Collection Act 1991* are handled, stored or processed on the premises;
  - \* that prescribed goods or services within the meaning of the *Primary Industries Levies and Charges Collection Act 1991* in relation to collection products are sold or provided on the premises;
  - \* that goods processed from collection products within the meaning of the *Primary Industries Levies and Charges Collection Act 1991* are handled, stored or processed on the premises;
  - \* that there are examinable documents within the meaning of the *Primary Industries Levies and Charges Collection Act 1991* on the premises;

AND

Primary Industries Levies and Charges  
Collection 1991 No. /

5

196 /

2. that the issue of this warrant is reasonably required for the purpose of ascertaining whether a person has contravened or is contravening a provision of the *Primary Industries Levies and Charges Collection Act 1991*.

This warrant ceases to have effect on

Dated 19 .

<sup>5</sup>

\*Magistrate/\*Justice of the Peace

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<sup>1</sup> insert name of magistrate or Justice of the Peace

<sup>2</sup> insert full address of premises

<sup>3</sup> insert hours during which entry may be made

<sup>4</sup> insert day warrant ceases to have effect

<sup>5</sup> signature of magistrate or Justice of the Peace

*\*Omit if not applicable.*

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NOTE

1. Notified in the *Commonwealth of Australia Gazette* on

/ 1991.

28 June /