

# **Primary Industries Levies, Charges and Collection Repeal Regulations 1999 1999 No. 304**

## **EXPLANATORY STATEMENT**

### **Statutory Rules. 1999 No. 304**

Issued by the Authority of the Minister for Agriculture, Fisheries and Forestry

*Primary Industries Levies and Charges Collection Act 1991*

*Primary Industries (Customs) Charges Act 1999*

*Primary Industries (Excise) Levies Act 1999*

Primary Industries Levies, Charges and Collection Repeal Regulations 1999

Section 30 of the *Primary Industries Levies and Charges Collection Act 1991*, [the Collection Act], section 8 of the *Primary Industries (Customs) Charges Act 1999*, [the Customs Charges Act], and section 8 of the *Primary Industries (Excise) Levies Act 1999*, [the Excise Levies Act], provide that the Governor-General may make regulations prescribing matters required or permitted to be prescribed by the Acts, or necessary or convenient to be prescribed for carrying out or giving effect to the Acts.

The Customs Charges Act, and the Excise Levies Act consolidated the former levies and charges imposition Acts that imposed duties of customs or of excise on various primary industry commodities and products. As part of this consolidation process the former levies and charges imposition Acts were repealed along with many of their subordinate regulations.

The purpose of these regulations is to carry on the process of removing those regulations that were previously supported by the repealed Acts, saved under provisions of *Primary Industries Levies and Charges (Consequential Amendments) Act 1999* but are now spent or redundant.

Regulations 1 to 4 and Schedule 1 are taken to have commenced on 1 July 1999 and those in Schedule 2 will commence on 1 January 2000. The retrospective repeal of regulations in Schedule 1 coincides with the commencement of the Customs Charges Act and the Excise Levies Act on 1 July 1999, and the repeal of certain spent legislation. There are no effects on the liabilities of an, levy or charge payer nor the Commonwealth.

Details of the Primary Industries Levies, Charges and Collection Repeal Regulations 1999 are included in the attachment.

## **ATTACHMENT**

### **PRIMARY INDUSTRIES LEVIES, CHARGES AND COLLECTION REPEAL REGULATIONS 1999**

Regulation 1 gives the name of the regulations as the Primary Industries Levies, Charges and Collection Repeal Regulations 1999.

Regulation 2 provides that Regulations 1 to 4 and Schedule 1 are taken to have commenced on 1 July 1999, and Schedule 2 will commence on 1 January 2000. The retrospective repeal of regulations in Schedule 1 coincides with the commencement of the Customs Charges Act and the Excise Levies Act on 1 July 1999, and the repeal of the *Horticultural Levy Act 1987*, the *Horticultural Export Charge Act 1987*, the *Horticultural Levy Collection Act 1987*, and the *Horticultural Export Charge Collection Act 1987* which are spent. There are no effects on the liabilities of any levy or charge payer nor the Commonwealth.

Regulation 3 provides saving provisions, such that, despite the repeal of regulations by the Schedule, those regulations still apply to levies and charges imposed before the commencement of the Schedule 1.

Regulation 4 provides saving provisions, such that, despite the repeal of regulations by the Schedule, those regulations still apply to levies and charges imposed before the commencement of the Schedule 2.

#### **SCHEDULE 1**

The schedule provides details of the regulations to be repealed with effect from 1 July 1999.

Section 1 provides for the repeal of certain statutory rules made under the *Horticultural Export Charge Act 1987* and the *Horticultural Export Charge Collection Act 1987*, namely, Statutory Rules 1989 No. 251 [the Horticultural Export Charge (Nursery Products) Regulations].

Section 2 provides for the repeal of certain statutory rules made under the *Horticultural Levy Act 1987* and the *Horticultural Levy Collection Act 1987*, namely the Horticultural Levy (Apple and Pear) Regulations. These are:

- \* 1988 No. 189;
- \* 1989 Nos. 22, 44, and 345.

Section 3 provides for the repeal of certain statutory rules made under the *Horticultural Levy Act 1987* and the *Horticultural Levy Collection Act 1987*, namely the Horticultural Levy (Citrus) Regulations. These are:

- \* 1988 No. 188;
- \* 1989 Nos. 42 and 263; and
- \* 1990 No. 306.

#### **SCHEDULE 2**

Section 1 provides for the repeal of certain statutory rules (that is, regulations made under the *Grain Legumes Levy Act 1985*, and continued in force under Schedule 12 to the *Primary Industries (Excise) Levies Act 1999*). These are:

- \* 1986 Nos. 309 and 321;
- \* 1988 No. 235;
- \* 1991 No. 47; and
- \* 1992 No. 442.

Section 2 provides for the repeal of certain statutory rules (that is, regulations made under the *Oilseeds Levy Act 1977*, and continued in force under Schedule 20 to the *Primary Industries (Excise) Levies Act 1999*). These are:

- \* 1986 Nos. 221 and 222; and
- \* 1989 No. 248;

Section 3 provides for the repeal of certain statutory rules (that is, regulations made under the *Coarse Levy Act 1992*, and continued in force under Schedule 4 to the *Primary Industries (Excise) Levies Act 1999*). These are:

- \* 1992 No. 306;
- \* 1993 Nos. 7, 249, and 316;
- \* 1994 No. 354; and
- \* 1999 No. 120.

Section 4 provides for the repeal of certain statutory rules (that is, regulations made under the *Grain Legumes Levy Act 1985*, and *Primary Industries Levies and Charges Collection Act 1991*). These are:

- \* 1991 No. 185;
- \* 1992 No. 378;
- \* 1993 No. 248; and
- \* 1998 No. 154.

Section 5 provides for the repeal of certain statutory rules (that is, regulations made under the *Oilseeds Levy Act 1977*, and *Primary Industries Levies and Charges Collection Act 1991*). These are:

- \* 1991 No. 185;
- \* 1992 No. 379;

- \* 1993 No. 247; and
- \* 1998 No. 153.

Section 6 provides for the repeal of certain statutory rules (that is, regulations made under the *Rice Levy Act* 1991 and continued in force under Schedule 23 to the *Primary Industries (Excise) Levies Act* 1999). These are:

- \* 1991 No. 440; and
- \* 1999 No. 12 1.

Section 7 provides for the repeal of certain statutory rules (that is, regulations made under the *Wheat Levy Act* 1989, and continued in force under Schedule 25 to the *Primary Industries (Excise) Levies Act* 1999). These are:

- \* 1991 No. 306;
- \* 1993 No. 246;
- \* 1998 No. 158; and
- \* 1999 No. 122.

Section 8 provides for the repeal of certain statutory rules, namely Statutory Rules 1999 No. 119 (that is, regulations made under the *Primary Industries (Excise) Levies Act* 1999, and *Primary Industries Levies and Charges Collection Act* 1991).