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Rural Industries Research and Development Corporation Amendment Regulations 2001 (No. 1)¹

Statutory Rules 2001 No. ²

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I, WILLIAM PATRICK DEANE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Primary Industries and Energy Research and Development Act 1989*.

Dated 13 JUN 2001 2001

WILLIAM DEANE
Governor-General

By His Excellency's Command

JUDITH TROETH
Parliamentary Secretary to the Minister for Agriculture,
Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Rural Industries Research and Development Corporation Amendment Regulations 2001* (No. 1).

2 Commencement

These Regulations commence on 1 July 2001.

3 Rural Industries Research and Development Corporation (Deer) Regulations — repeal

Statutory Rules 1992 No. 202 is repealed.

4 Amendment of *Rural Industries Research and Development Corporation Regulations 2000*

Schedule 1 amends the *Rural Industries Research and Development Corporation Regulations 2000*.

Schedule 1 Amendments
(regulation 4)

[1] Part 2, after Division 8
insert

Division 9 Deer levy

31 Definitions

In this Division:

deer industry means the industry in Australia that is concerned with:

- (a) the raising, breeding and slaughter of deer; and

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- (b) the export of live deer; and
- (c) the production, processing and export of deer velvet.

deer levies means:

- (a) levy imposed by clause 2 of Schedule 7 to the *Primary Industries (Excise) Levies Act 1999*; and
- (b) levy imposed by clause 2 of Schedule 8 to the *Primary Industries (Excise) Levies Act 1999*; and
- (c) levy imposed by clause 3 of Schedule 8 to the *Primary Industries (Excise) Levies Act 1999*; and
- (d) charge imposed by clause 2 of Schedule 5 to the *Primary Industries (Customs) Charges Act 1999*; and
- (e) charge imposed by clause 2 of Schedule 6 to the *Primary Industries (Customs) Charges Act 1999*.

32 Attachment of deer levies

- (1) For paragraph 5 (1) (a) of the Act, the deer levies are attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the Act, the whole of each of the deer levies is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the Act, the deer industry is the primary industry to which the deer levies relate.

33 Accounting records for deer levies

- (1) For paragraph 40 (1) (a) of the Act, the Corporation must keep separate accounting records of the funding of R & D activities in relation to the deer industry.

- (2) For paragraph 40 (1) (b) of the Act, the following amounts must be credited in the accounting records kept under subregulation (1):
- (a) amounts of deer levies received by the Commonwealth under the *Primary Industries Levies and Charges Collection Act 1991* and paid to the Corporation under paragraph 30 (1) (a) of the Act; and
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the Act; and
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities in relation to the deer industry; and
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in connection with research and development relating to the deer industry; or
 - (ii) from the sale of property produced, or from dealing with patents in respect of inventions made in connection with research and development relating to the deer industry; or
 - (iii) in respect of work paid for in connection with research and development relating to the deer industry; and
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the Act, all amounts specified in section 33 of the Act that are required to be paid by the Corporation in relation to the deer industry must be debited in the accounting records kept under subregulation (1).

- (4) For subsection 40 (2) of the Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the deer industry.

Note Regulation numbers 34 to 60 intentionally not used.

[2] **Part 3**
substitute

Part 3 **Gross value of production**

61 Method of calculation of gross value of production

- (1) For subsection 32 (2) of the PIERD Act, the Minister must determine the amount of the gross value of production, for a financial year (the *relevant financial year*), of the produce of a primary industry in respect of which a levy has been attached to the Corporation by using:

$$\frac{A + B + C}{3}$$

where:

A is the estimated value of the leviable goods to be produced in the relevant financial year.

B is the value of the leviable goods produced in the financial year immediately before the relevant financial year (the *previous financial year*).

C is the value of the leviable goods produced in the financial year immediately before the previous financial year.

- (2) In subregulation (1), a reference to the value of leviable goods produced or to be produced in a financial year is a reference to the production figure supplied by the Australian Bureau of Agricultural and Resource Economics that shows:
- (a) the gross value of leviable goods produced by the primary industry in that financial year; or
 - (b) the estimated gross value of leviable goods to be produced by the primary industry in that financial year.

[3] Further amendments

<i>Provision</i>	<i>omit</i>	<i>insert</i>
Subregulation 9 (1)	is to	must
Subregulation 9 (2)	are to	must
Subregulation 12 (1)	is to	must
Subregulation 12 (2)	are to	must
Subregulation 15 (1)	is to	must
Subregulation 15 (2)	are to	must
Subregulation 18 (1)	is to	must
Subregulation 18 (2)	are to	must
Subregulation 21 (1)	is to	must
Subregulation 21 (2)	are to	must
Subregulation 24 (1)	is to	must
Subregulation 24 (2)	are to	must
Subregulation 27 (1)	is to	must
Subregulation 27 (2)	are to	must
Subregulation 30 (1)	is to	must
Subregulation 30 (2)	are to	must

Notes

1. These Regulations amend Statutory Rules 2000 No. 324.
2. Notified in the *Commonwealth of Australia Gazette* on *20 June* 2001.

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