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Rural Industries Research and Development Corporation Amendment Regulations 2003 (No. 2)¹

Statutory Rules 2003 No. 2²

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I, PHILIP MICHAEL JEFFERY, 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 27 AUG 2003 2003

P.M. Jeffery
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 2003* (No. *1*).

2

2 Commencement

These Regulations commence on 1 September 2003.

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

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

Schedule 1 Amendment

(regulation 3)

[1] Part 2, after Division 10

insert

Division 11 Ratite (ostrich) levy

37 Definition

In this Division:

ostrich industry means the part of the primary industry specified in paragraph 6 (1) (c) that is concerned with the raising of ostriches, the production and processing of ostrich meat, and the distribution and sale of ostrich meat and ostrich meat products.

38 Attachment of ostrich levy


- (1) For paragraph 5 (1) (a) of the PIERD Act, levy imposed by clause 7.1 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is attached to the Corporation.
- (2) For paragraph 5 (3) (a) of the PIERD Act, the whole of the levy is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIERD Act, the ostrich industry is the primary industry to which the levy relates.

39 Accounting records for ostrich levy

- (1) For paragraph 40 (1) (a) of the PIERD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the ostrich industry.
- (2) For paragraph 40 (1) (b) of the PIERD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 38 (2) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIERD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIERD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the ostrich industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIERD Act on R & D activities relating to the ostrich industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or

- (iv) for work paid for by money spent by the Corporation under section 33 of the PIERD Act on R & D activities relating to that industry;
 - (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 PIERD Act, all amounts spent under section 33 of the PIERD Act in relation to the ostrich industry are to be debited in the accounting records kept under subregulation (1).
- (4) For subsection 40 (2) of the PIERD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities relating to the ostrich industry.

Notes

- 1. These Regulations amend Statutory Rules 2000 No. 324, as amended by 2001 No. 133; 2002 No. 309; 2003 No. 144.
- 2. Notified in the *Commonwealth of Australia Gazette* on  2003.

28 August