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# Horticulture Marketing and Research and Development Services Amendment Regulations 2003 (No. 1)<sup>1</sup>

Statutory Rules 2003 No. <sup>2</sup>

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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 *Horticulture Marketing and Research and Development Services Act 2000*.

Dated 21 OCT 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 *Horticulture Marketing and Research and Development Services Amendment Regulations 2003* (No. 1).

**2 Commencement**

These Regulations commence on 24 October 2003.

**3 Amendment of *Horticulture Marketing and Research and Development Services Regulations 2001***

Schedule 1 amends the *Horticulture Marketing and Research and Development Services Regulations 2001*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Regulation 1.3, note**

*omit*

**[2] After regulation 1.3**

*insert*

**1.4 Horticultural product**

For paragraph (f) of the definition of *horticultural product* in section 4 of the Act, tobacco leaf is prescribed.

*Note* Part 2 is reserved.

**[3] Regulation 3.1***substitute***3.1 Gross value of production**

- (1) This regulation applies to the following sectors of the horticultural industry:
- (a) dried fruit;
  - (b) tobacco leaf.
- (2) For subsection 16 (4) of the Act, the Secretary must determine the amount of gross value of production of each sector of the horticultural industry mentioned in subregulation (1), for a financial year (the *relevant financial year*), by using:

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

where:

*A* is the estimated value of the relevant horticultural product to be produced by the sector in the relevant financial year.

*B* is the value of the relevant horticultural product produced by the sector in the financial year immediately before the relevant financial year (the *previous financial year*).

*C* is the value of the relevant horticultural product produced by the sector in the financial year immediately before the previous financial year.

- (3) In subregulation (2), a reference to the value of the relevant horticultural product produced, or the estimated value of the relevant horticultural product 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 the relevant horticultural product produced by the sector in that financial year; or
  - (b) the estimated gross value of the relevant horticultural product to be produced by the sector in that financial year.

**Notes**

1. These Regulations amend Statutory Rules 2001 No. 151.
2. Notified in the *Commonwealth of Australia Gazette* on / 2003, 22 October