



Imported Food Control Amendment Regulations 2009 (No. 1)¹

Select Legislative Instrument 2009 No. 235

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Imported Food Control Act 1992*.

Dated 17 September 2009

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

TONY BURKE
Minister for Agriculture, Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Imported Food Control Amendment Regulations 2009 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Imported Food Control Regulations 1993*

Schedule 1 amends the *Imported Food Control Regulations 1993*.

4 Transitionals

- (1) Subregulations (2) and (3) only apply if:
 - (a) before the amendments made by Schedule 1 commence, a person pays to the Commonwealth, under paragraph 36 (3) (a) of the *Imported Food Control Act 1992*, the payable amount in respect of the provision of a chargeable service that has not yet been rendered; and
 - (b) after the amendments commence, the service is rendered.
- (2) Despite the amendments made by Schedule 1, the person mentioned in subregulation (1) is not liable to pay any further amount under section 36 of the *Imported Food Control Act 1992*, unless subregulation (3) applies.
- (3) If a person mentioned in subregulation (1) is provided with the chargeable service at a time that is outside the ordinary hours of duty of the officer providing the service, paragraph 33 (1) (b) of the *Imported Food Control Regulations 1993*, as in force after the amendments in Schedule 1 commence, will apply.

- (4) Despite the amendments made by Schedule 1, if
- (a) before the amendments commence, a person is provided with a chargeable service; and
 - (b) at the time the amendments commence, the person has not paid to the Commonwealth the payable amount in respect of the provision of the service;
- the person is only liable to pay the payable amount specified by regulation 33 of the *Imported Food Control Regulations 1993* as in force at the time the service was rendered.

Note **Chargeable service** is defined in subsection 36 (11) of the *Imported Food Control Act 1992*.

Schedule 1 Amendments

(regulation 3)

[1] Schedule 2, Part 2, item 1, column 3, paragraph (a)

omit

\$714

insert

\$900

**[2] Schedule 2, Part 2, item 1, column 3,
subparagraph (b) (i)**

omit

\$80

insert

\$90

**[3] Schedule 2, Part 2, item 1, column 3,
subparagraph (b) (ii)**

omit

\$40

insert

\$45

[4] Schedule 2, Part 2, item 2, column 3

substitute

For each entry:

- (a) for an assessment based only on information in the entry:
 - (i) for the first half hour, or part of a half hour — \$40; and
 - (ii) for each quarter hour, or part of a quarter hour, after the first half hour — \$40; and
- (b) if the officer performing the assessment requires additional information to perform the assessment — an additional \$40

[5] Schedule 2, Part 2, item 3, column 3, paragraph (a)

substitute

- (a) for an assessment based only on information in the entry:
 - (i) for the first half hour, or part of a half hour — \$40; and
 - (ii) for each quarter hour, or part of a quarter hour, after the first half hour — \$40; and

[6] Schedule 2, Part 2, item 3, column 3, paragraph (b)

omit

\$27

insert

\$40

[7] Schedule 2, Part 2, item 4, column 3, paragraph (a)

omit

\$80

insert

\$90

[8] Schedule 2, Part 2, item 4, column 3, paragraph (b)

omit

\$40

insert

\$45

[9] Schedule 2, Part 3, item 5, column 2

omit

Part 1

insert

Part 2

[10] Schedule 2, Part 3, item 5, column 3, paragraph (a)

omit

\$10

insert

\$16

**[11] Schedule 2, Part 3, item 5, column 3,
subparagraph (b) (i)**

omit

\$120

insert

\$192

**[12] Schedule 2, Part 3, item 5, column 3,
subparagraph (b) (ii)**

omit

\$10

insert

\$16

[13] Schedule 2, Part 3, item 6, column 3

omit

Saturday

insert

Saturday, Sunday or AQIS holiday

[14] Schedule 2, Part 3, item 6, column 3, paragraph (a)*omit*

\$120

insert

\$288

[15] Schedule 2, Part 3, item 6, column 3, paragraph (b)*omit*

\$10

insert

\$24

[16] Schedule 2, Part 3, items 7 and 8*omit*

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.