



Rural Industries Research and Development Corporation Amendment (Tea Tree Oil) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 18 May 2017

Peter Cosgrove
Governor-General

By His Excellency's Command

Barnaby Joyce
Deputy Prime Minister and Minister for Agriculture and Water Resources

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1 Name

This instrument is the *Rural Industries Research and Development Corporation Amendment (Tea Tree Oil) Regulations 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 July 2017.	1 July 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Primary Industries Research and Development Act 1989*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Rural Industries Research and Development Corporation Regulations 2000

1 In the appropriate position in Part 2

Insert:

Division 14—Tea tree oil levy

46 Definitions

In this Division:

tea tree oil has the same meaning as in clause 13.2 of Part 13 of Schedule 37 to the *Primary Industries Levies and Charges Collection Regulations 1991*.

tea tree oil industry means the part of the primary industry specified in paragraph 6(1)(j) that is concerned with the production of tea tree oil.

47 Attachment of levies

- (1) For the purposes of paragraph 5(1)(a) of the PIRD Act, the following levies are declared to be attached to the Corporation:
 - (a) levy imposed by clause 11.2 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999*;
 - (b) charge imposed by subclause 7.2(1) of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.
- (2) For the purposes of paragraph 5(3)(a) of the PIRD Act, the whole of each levy referred to in subregulation (1) is declared to be the research component of the levy.
- (3) For the purposes of paragraph 5(3)(b) of the PIRD Act, the tea tree oil industry is declared to be the primary industry to which the levy relates.

48 Accounting records for tea tree oil levy

- (1) For the purposes of paragraph 40(1)(a) of the PIRD Act, the Corporation must keep separate accounting records of the funding of R&D activities relating to the tea tree oil industry.
- (2) For the purposes of paragraph 40(1)(b) of the PIRD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 47(1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30(1)(a) of the PIRD Act;
 - (b) amounts paid to the Corporation by the Commonwealth under paragraph 30(1)(b) of the PIRD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R&D activities relating to the tea tree oil industry;

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- (d) amounts received by the Corporation as follows:
- (i) from the sale of property paid for in connection with research and development relating to the tea tree oil industry;
 - (ii) from the sale of property produced in connection with research and development relating to the tea tree oil industry;
 - (iii) from dealing with patents in respect of inventions made in connection with, or intellectual property arising out of, research and development relating to the tea tree oil industry;
 - (iv) in respect of work paid for in connection with research and development relating to the tea tree oil industry;
- (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For the purposes of paragraph 40(1)(b) of the PIRD Act, all amounts spent under section 33 of the PIRD Act in relation to the tea tree oil industry are to be debited in the accounting records kept under subregulation (1).
- (4) For the purposes of subsection 40(2) of the PIRD Act, the only R&D activities on which amounts credited under subregulation (2) can be spent are R&D activities relating to the tea tree oil industry.