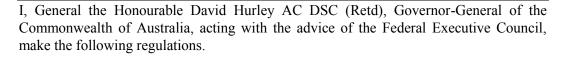


Primary Industries Levies and Charges Collection Amendment (Farmed Prawns) Regulations 2019



Dated 28 November 2019

David Hurley Governor-General

By His Excellency's Command

Bridget McKenzie Minister for Agriculture



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1 Name

This instrument is the *Primary Industries Levies and Charges Collection Amendment (Farmed Prawns) Regulations 2019.*

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 Date/Details	
Provisions	Commencement		
1. The whole of this instrument	1 January 2020.	1 January 2020	

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This table relates only to the provisions of this instrument as originally made.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 Levies and Charges Collection Act 1991*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Primary Industries Levies and Charges Collection Regulations 1991

1 Clause 3.2 of Schedule 37 (definition of charge)

Repeal the definition, substitute:

charge means charge of either of the following kinds:

- (a) charge imposed by Division 2.2 of Schedule 14 to the Customs Charges Regulations;
- (b) charge imposed by Division 2.3 of Schedule 14 to the Customs Charges Regulations.

2 Clause 3.2 of Schedule 37

Insert:

chargeable farmed prawns means farmed prawns on which charge is imposed.

leviable farmed prawns means farmed prawns on which levy is imposed.

3 Clause 3.2 of Schedule 37 (definition of levy)

Repeal the definition, substitute:

levy means levy of either of the following kinds:

- (a) levy imposed by Division 3.2 of Schedule 27 to the Excise Levies Regulations;
- (b) levy imposed by Division 3.3 of Schedule 27 to the Excise Levies Regulations.

4 Clause 3.4 of Schedule 37

Repeal the clause, substitute:

3.4 Who is a producer

(1) For the purposes of paragraph (b) of the definition of *producer* in subsection 4(1) of the Collection Act, leviable farmed prawns are prescribed.

Note:

Paragraph (b) of the definition of *producer* in subsection 4(1) of the Collection Act provides that, for a product that is prescribed for the purposes of that paragraph, *producer* means:

- (a) where a marketing law vests the product in a person or body or in the Crown in right of a State at or before the time the product is harvested—the person who would have owned the product but for the marketing law; or
- (b) otherwise—the person who owns the product immediately after it is harvested.
- (2) For the purposes of paragraph (g) of the definition of *producer* in subsection 4(1) of the Collection Act, chargeable farmed prawns are prescribed.

Note:

Paragraph (g) of the definition of *producer* in subsection 4(1) of the Collection Act provides that, for a product that is prescribed for the purposes of that paragraph, *producer* means the person who exports the product from Australia.