



National Residue Survey (Excise) Levy Amendment Act 1999

No. 29, 1999



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**An Act to amend the *National Residue Survey
(Excise) Levy Act 1998*, and for related purposes**

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An Act to amend the *National Residue Survey (Excise) Levy Act 1998*, and for related purposes

[Assented to 14 May 1999]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *National Residue Survey (Excise)
Levy Amendment Act 1999*.

2 Commencement

This Act commences on the commencement of section 1 of the
Primary Industries (Excise) Levies Act 1999.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendment of the National Residue Survey (Excise) Levy Act 1998

1 Subclause 1(1) of Schedule 1 (definitions of *cattle, dairy cattle, licensed dairy farmer and lot-fed cattle*)

Omit “the *Cattle Transactions Levy Act 1997*”, substitute “Schedule 3 to the *Primary Industries (Excise) Levies Act 1999*”.

2 Subparagraph 2(2)(d)(iii) of Schedule 1

Omit “the *Beef Production Levy Act 1990*”, substitute “Schedule 1 to the *Primary Industries (Excise) Levies Act 1999*”.

3 Paragraph 3(1)(c) of Schedule 1

Omit “that is not a leviable bobby calf”, substitute “(other than a head of lot-fed cattle or a leviable bobby calf)”.

4 After paragraph 3(1)(c) of Schedule 1

Insert:

- (ca) 32 cents per each head of lot-fed cattle or, if another rate (not exceeding 35 cents) is prescribed by the regulations, the other rate; and

5 Clause 1 of Schedule 2

Insert:

leviable amount, in relation to a levy year, means:

- (a) \$25; or
- (b) if, before the commencement of the levy year, another amount is prescribed in relation to that year, that prescribed amount.

6 After subclause 5(1) of Schedule 2

Insert:

- (1A) If, in a levy year:

- (a) leviable coarse grain is delivered to a particular person by producers of leviable coarse grain; and
- (b) apart from this subclause, the total amount of National Residue Survey Levy imposed by this Schedule on the grain would be less than the leviable amount;

National Residue Survey Levy is not imposed by this Schedule on the grain.

7 After subclause 5(2) of Schedule 2

Insert:

(2A) If, in a levy year:

- (a) a producer processes leviable coarse grain that the producer has produced; and
- (b) paragraph (2)(b) does not apply in respect of the grain; and
- (c) apart from this subclause, the total amount of National Residue Survey Levy imposed by this Schedule on the grain would be less than the leviable amount;

National Residue Survey Levy is not imposed by this Schedule on the grain.

8 Clause 2 of Schedule 3

Omit “and before 1 July 2000” (wherever occurring).

9 Clause 1 of Schedule 4 (definition of *dried vine fruits*)

Omit “dried currant grapes, dried sultana grapes or dried raisin grapes”, substitute “dried grapes”.

10 Clause 1 of Schedule 6 (paragraph (a) of the definition of *leviable amount*)

Omit “\$50”, substitute “\$25”.

11 Paragraph 2(2)(d) of Schedule 7

Omit “or paragraph 4(2)(d) of the”, substitute “, paragraph 2(2)(c) of Schedule 14 to the *Primary Industries (Excise) Levies Act 1999* or paragraph 4(2)(d) of the repealed”.

12 Clause 1 of Schedule 9 (definition of *horticultural products*)

Omit “the *Horticultural Levy Act 1987*”, substitute “Schedule 15 to the *Primary Industries (Excise) Levies Act 1999*”.

13 Clause 4 of Schedule 10

Omit “producer of the chickens”, substitute “proprietor of the hatchery where the laying chickens are hatched”.

14 Subclause 1(2) of Schedule 12

Repeal the subclause.

15 Clause 1 of Schedule 13 (paragraph (a) of the definition of *leviable amount*)

Omit “\$50”, substitute “\$25”.

16 Subclause 1(1) of Schedule 15 (definitions of *lamb, sheep and slaughter*)

Omit “the *Live-stock Transactions Levy Act 1997*”, substitute “Schedule 18 to the *Primary Industries (Excise) Levies Act 1999*”.

17 Application of amendments

- (1) The amendments of Schedule 1 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to:
 - (a) transactions entered into after the commencement of this item by which the ownership of cattle is transferred from one person to another; and
 - (b) deliveries of cattle to processors after the commencement of this item; and
 - (c) slaughter of cattle after the commencement of this item.
 - (2) The amendments of Schedule 2 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to leviable coarse grain delivered or processed after the commencement of this item.
 - (3) The amendments of Schedule 4 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to dried fruits received after the commencement of this item.
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- (4) The amendments of Schedule 6 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to leviable grain legumes delivered or processed after the commencement of this item.
- (5) The amendments of Schedule 9 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to:
 - (a) leviable horticultural products sold or used after the commencement of this item; and
 - (b) leviable horticultural products presumed to be produced in Australia after the commencement of this item.
- (6) The amendments of Schedule 10 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to laying chickens hatched after the commencement of this item.
- (7) The amendments of Schedule 12 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to meat chickens hatched after the commencement of this item.
- (8) The amendments of Schedule 13 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to leviable oilseeds delivered or processed after the commencement of this item.
- (9) The amendments of Schedule 15 to the *National Residue Survey (Excise) Levy Act 1998* made by this Schedule apply to:
 - (a) transactions entered into after the commencement of this item by which the ownership of sheep, lambs or goats is transferred from one person to another; and
 - (b) deliveries of sheep, lambs or goats to processors after the commencement of this item; and
 - (c) slaughter of sheep, lambs or goats after the commencement of this item.

*[Minister's second reading speech made in—
House of Representatives on 3 December 1998
Senate on 19 April 1999]*

(202/98)