



Superannuation Supervisory Levy Determination Validation Act 2000

No. 18, 2000

**An Act to validate a determination made under the
*Superannuation Supervisory Levy Imposition Act
1998***

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Superannuation Supervisory Levy Determination Validation Act 2000

No. 18, 2000

**An Act to validate a determination made under the
*Superannuation Supervisory Levy Imposition Act
1998***

[Assented to 31 March 2000]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Superannuation Supervisory Levy
Determination Validation Act 2000*.

Section 2

2 Commencement

This Act commences on the commencement of Part 1 of Schedule 12 to the *Financial Sector Reform (Amendments and Transitional Provisions) Act (No. 1) 2000*.

3 Definition

In this Act:

Imposition Act means the *Superannuation Supervisory Levy Imposition Act 1998*.

4 Validity of determination

- (1) This section applies to a determination that was purportedly made under subsection 7(3) of the *Imposition Act* on 11 August 1998, and was notified in the *Gazette* on 13 August 1998.
- (2) The determination is taken, despite subsection 48(2) of the *Acts Interpretation Act 1901*:
 - (a) to have been made under subsection 7(3) of the *Imposition Act*; and
 - (b) to have been effective on and at all times after 1 July 1998.
- (3) Despite paragraph (2)(b), the determination may be repealed, rescinded, revoked, amended or varied in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*.

[*Minister's second reading speech made in—
House of Representatives on 30 June 1999
Senate on 29 September 1999*]

(139/99)



Dairy Adjustment Levy (Customs) Act 2000

No. 19, 2000

**An Act to impose dairy adjustment levy, so far as
that levy is a duty of customs**

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Dairy Adjustment Levy (Customs) Act 2000

No. 19, 2000

An Act to impose dairy adjustment levy, so far as that levy is a duty of customs

[Assented to 3 April 2000]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Dairy Adjustment Levy (Customs) Act 2000*.

2 Commencement

This Act commences on 8 July 2000.

Section 3

3 Act to bind Crown

This Act binds the Crown in right of each of the States and Territories.

4 Definition

In this Act:

leviable milk product has the same meaning as in Part 4 of Schedule 2 to the *Dairy Produce Act 1986*.

5 Imposition of levy

- (1) Levy that is payable under Division 2 of Part 4 of Schedule 2 to the *Dairy Produce Act 1986* is imposed under the name of dairy adjustment levy.
- (2) This section imposes levy only so far as that levy is a duty of customs within the meaning of section 55 of the Constitution.

6 Rate of levy

- (1) The rate of levy imposed by this Act is:
 - (a) 0.011 cents per ml of the leviable milk product concerned; or
 - (b) if a lower rate is prescribed by the regulations—that lower rate.
- (2) For the purposes of subsection (1), if a leviable milk product is not a liquid at 20°C, it is to be assumed that the volume of the product were equal to the volume that would result if water were added to the product in the ratio ascertained in accordance with the regulations.
- (3) For the purposes of subsection (1), if a leviable milk product is a product that, under the regulations, is taken to be a concentrate, it is to be assumed that the volume of the product were equal to the volume that would result if water were added to the product in the ratio ascertained in accordance with the regulations.

7 Act does not impose a tax on property of a State

- (1) This Act has no effect to the extent (if any) to which it imposes a tax on property of any kind belonging to a State.
- (2) In this section, *property of any kind belonging to a State* has the same meaning as in section 114 of the Constitution.
- (3) For the purposes of this section, it is to be assumed that a reference in section 114 of the Constitution to a State includes a reference to the Australian Capital Territory and the Northern Territory.

8 Regulations

- (1) The Governor-General may make regulations for the purposes of section 6.
- (2) Before the Governor-General makes a regulation specifying a rate for the purposes of paragraph 6(1)(b), the Minister must take into consideration any relevant recommendation made to the Minister by the Dairy Adjustment Authority.

*[Minister's second reading speech made in—
House of Representatives on 16 February 2000
Senate on 15 March 2000]*

(8/00)