

# DAIRYING INDUSTRY RESEARCH AND PROMOTION LEVY AMENDMENT ACT 1978

## No. 138 of 1978

An Act to amend the *Dairying Industry Research and Promotion Levy Act 1972*.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:

1. (1) This Act may be cited as the *Dairying Industry Research and Promotion Levy Amendment Act 1978*.<sup>1</sup> Short title,  
&c.

(2) The *Dairying Industry Research and Promotion Levy Act 1972*<sup>2</sup> is in this Act referred to as the Principal Act.

2. This Act shall come into operation on the first day of the month next succeeding the month in which it receives the Royal Assent.<sup>1</sup> Commence-  
ment

3. The title of the Principal Act is amended by inserting “, or otherwise disposed of,” after “sold”. Title

4. Section 5 of the Principal Act is amended by adding at the end thereof the following sub-section: Interpret-  
ation

“(3) For the purposes of this Act and of the *Dairying Industry Research and Promotion Levy Collection Act 1972*, where whole milk or butter fat produced by a person is, after the commencement of this sub-section, supplied by the producer to another person for disposal or processing by that other person, but the milk or butter fat is not sold by the producer to that other person or any other person at or before the time it is so supplied—

- (a) the whole milk or butter fat, as the case may be, shall be deemed to have been sold by the producer to that other person at the time it is so supplied and that other person shall be deemed to have purchased the whole milk or butter fat, as the case may be, from the producer at that time; and
- (b) any sale of the whole milk or butter fat, as the case may be, by or on behalf of the producer (including a sale to that other person) after it is so supplied shall be disregarded.”

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### NOTES

- 1. Act No. 138, 1978; assented to 15 November 1978.
- 2. Act No. 31, 1972, as amended. For previous amendments *see* Act No. 216, 1973 (as amended by No. 20, 1974); and Nos. 78 and 200, 1976.