



Honey Levy Legislation Amendment Act 1985

No. 5 of 1985

An Act to amend the *Honey Levy Act (No. 1) 1962*, the *Honey Levy Act (No. 2) 1962* and the *Honey Levy Collection Act 1962*

[Assented to 29 March 1985]

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

PART I—PRELIMINARY

Short title

1. This Act may be cited as the *Honey Levy Legislation Amendment Act 1985*.

Commencement

2. (1) Sections 1 and 2 shall come into operation on the day on which this Act receives the Royal Assent.

(2) The remaining provisions of this Act shall come into operation on 1 January 1986.

**PART II—AMENDMENTS OF THE HONEY LEVY ACT (No. 1)
1962**

Principal Act

3. The *Honey Levy Act (No. 1) 1962*¹ is in this Part referred to as the Principal Act.

Exemptions

4. Section 6A of the Principal Act is amended—

- (a) by inserting in sub-section (1) “(not being honey sold by the producer by prescribed sale)” after “honey sold by a person”; and
- (b) by inserting after sub-section (1) the following sub-section:

“(1A) Levy imposed by this Act is not payable in respect of honey that, in a year, is sold by the producer by prescribed sale if the honey so sold by the producer in that year, together with the honey, if any, used by the producer in that year in the production of other goods, weighs not more than 600 kilograms.”.

**PART III—AMENDMENTS OF THE HONEY LEVY ACT (No. 2)
1962**

Principal Act

5. The *Honey Levy Act (No. 2) 1962*² is in this Part referred to as the Principal Act.

Exemptions

6. Section 6A of the Principal Act is amended—

- (a) by inserting in sub-section (1) “(other than the producer)” after “used by a person”; and
- (b) by inserting after sub-section (1) the following sub-section:

“(1A) Levy imposed by this Act is not payable in respect of honey that, in a year, is used by the producer in the production of other goods if the honey so used by the producer in that year, together with the honey, if any, sold by the producer by prescribed sale in that year, weighs not more than 600 kilograms.”.

**PART IV—AMENDMENTS OF THE HONEY LEVY COLLECTION
ACT 1962**

Principal Act

7. The *Honey Levy Collection Act 1962*³ is in this Part referred to as the Principal Act.

Interpretation

8. Section 3 of the Principal Act is amended—

- (a) by inserting after the definition of “listed honey dealer” the following definition:

“ ‘prescribed sale’, in relation to honey sold by the producer, means a sale by the producer other than a sale made to, or through, a person who is a honey dealer or listed honey dealer;”;

- (b) by inserting after the definition of “producer” the following definition:

“ ‘Secretary’ means the Secretary to the Department;”;

- (c) by omitting the definition of “the Secretary” and substituting the following definition:

“ ‘year’ means a period of 12 months commencing on 1 January.”.

Due date of payment

9. Section 6 of the Principal Act is amended—

- (a) by omitting “The amount” and substituting “Subject to sub-section (2), the amount”; and

- (b) by adding at the end the following sub-section:

“(2) The amount of levy on any honey sold by the producer by prescribed sale, or used by the producer in the production of other goods, is due for payment on 28 February of the year next following the year in which the honey was so sold or used, as the case may be, by the producer.”.

NOTES

1. No. 106, 1962, as amended. For previous amendments, see Nos. 72 and 141, 1965; No. 187, 1973; and No. 147, 1980.
2. No. 107, 1962, as amended. For previous amendments, see Nos. 73 and 142, 1965; No. 188, 1973; and No. 148, 1980.
3. No. 108, 1962, as amended. For previous amendments, see No. 93, 1966; No. 80, 1982; and No. 39, 1983.

[*Minister’s second reading speech made in—*

House of Representatives on 27 February 1985

Senate on 21 March 1985]