



Bass Strait Freight Adjustment Levy Amendment Act 1985

No. 78 of 1985

An Act to amend the *Bass Strait Freight Adjustment Levy Act 1984*

[Assented to 6 June 1985]

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

Short title, &c.

1. (1) This Act may be cited as the *Bass Strait Freight Adjustment Levy Amendment Act 1985*.

(2) The *Bass Strait Freight Adjustment Levy Act 1984*¹ is in this Act referred to as the Principal Act.

Commencement

2. (1) Sections 1, 2 and 5 shall come into operation on the day on which this Act receives the Royal Assent.

(2) Sections 3 and 6 shall be deemed to have come into operation on 1 January 1985.

(3) Section 4 shall be deemed to have come into operation on 1 March 1985.

Amendment of section 6 having effect from 1 January 1985

3. Section 6 of the Principal Act is amended by omitting "\$1.26" and substituting "\$1.39".

Amendment of section 6 having effect from 1 March 1985

4. Section 6 of the Principal Act is amended by omitting "\$1.39" and substituting "\$1.96".

5. Section 6 of the Principal Act is repealed and the following section is substituted:

Rate of levy

"6. (1) In this section—

'Coastal Freight Allowance' means \$3.01 per kilolitre or such other amount per kilolitre as the Minister determines under sub-section (4) to be the Coastal Freight Allowance component of the Import Parity Price of Bass Strait stabilized crude petroleum oil;

'levy amount' means an amount equal to 65% of the amount specified in the Coastal Freight Allowance calculated to the nearest cent.

"(2) The rate of adjustment levy is the levy amount per kilolitre.

"(3) Where, because of a variation of the Coastal Freight Allowance, the rate of adjustment levy is altered, the rate of adjustment levy as so altered has effect in relation to unstabilized crude petroleum oil produced on or after the day on which the alteration occurs.

"(4) The Minister may, by notice in writing published in the *Gazette*, determine, from time to time, the amount per kilolitre that is to be, from the day specified in the notice (not being a day earlier than the day on which the notice is published in the *Gazette*), the Coastal Freight Allowance component of the Import Parity Price of Bass Strait stabilized crude petroleum oil.

"(5) In making a determination under sub-section (4), the Minister may have regard to—

- (a) the cost of transporting stabilized crude petroleum oil by sea between places in Australia;
- (b) the cost of transporting stabilized crude petroleum oil by pipeline between places in Australia; and
- (c) such other matters as the Minister thinks appropriate.

"(6) The provisions of sections 48 (other than paragraph (1) (a) and sub-section (2)), 49, 49A and 50 of the *Acts Interpretation Act 1901* apply in relation to determinations made under sub-section (4) as if references in those provisions to regulations were references to determinations under sub-section (4).

"(7) Determinations made for the purposes of sub-section (4) shall be deemed not to be Statutory Rules within the meaning of the *Statutory Rules Publication Act 1903*."

Application

6. Where the rate of adjustment levy is altered by a provision of this Act, the rate of adjustment levy as so altered has effect in relation to unstabilized crude petroleum oil produced on or after the day on which the alteration occurs.

NOTE

1. No. 25, 1984.

[*Minister's second reading speech made in—
House of Representatives on 8 May 1985
Senate on 27 May 1985*]