



Tobacco Charge (No. 1) Amendment Act 1985

No. 96 of 1985

**An Act to amend the *Tobacco Charge Act (No. 1) 1955*, and for
related purposes**

[Assented to 26 September 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 *Tobacco Charge (No. 1) Amendment Act 1985*.

(2) The *Tobacco Charge Act (No. 1) 1955*¹ is in this Act referred to as the
Principal Act.

Commencement

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

(2) Sections 3 and 4 shall come into operation on the day with effect from
which the levy imposed by the *Tobacco Charge Act (No. 1) 1955*, the *Tobacco
Charge Act (No. 2) 1955* and the *Tobacco Charge Act (No. 3) 1955* are
declared by the regulations made under the *Rural Industries Research Act
1985* to be a prescribed class of levies.

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3. Sections 5 and 6 of the Principal Act are repealed and the following sections are substituted:

Rate of charge

“5. The rate of the charge imposed by this Act is such amount per kilogram of tobacco leaf as is equal to the aggregate of—

- (a) the amount that is prescribed for the purposes of this paragraph; and
- (b) the amount that is prescribed for the purposes of this paragraph.

Regulations

“6. (1) The Governor-General may make regulations prescribing an amount for the purpose of paragraph 5 (a) and prescribing an amount for the purpose of paragraph 5 (b) but so that the aggregate of the amounts so prescribed does not exceed 6 cents.

“(2) Before making regulations prescribing an amount for the purpose of paragraph 5 (a) or (b), the Governor-General shall take into consideration any relevant recommendations made to the Minister by the Australian Tobacco Board.

“(3) Regulations made for the purposes of sub-section (1) may provide that an amount prescribed for the purpose of paragraph 5 (a) or (b) applies only in respect of a period specified in the regulations.”.

Application of amendments

4. The amendments made by this Act apply in respect of Australian tobacco leaf sold to a manufacturer on or after the day that is referred to in sub-section 2 (2).

NOTE

1. No. 59, 1955, as amended. For previous amendments, see No. 86, 1965; No. 93, 1966; and Nos. 72 and 73, 1982.

[*Minister's second reading speech made in—
House of Representatives on 17 April 1985
Senate on 9 May 1985*]