

Grape Research Levy Act 1986

No. 63 of 1986

An Act to impose a levy upon Australian grapes, and Australian grape juice, delivered to processing establishments

[Assented to 24 June 1986]

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

# Short title

**1.** This Act may be cited as the *Grape Research Levy Act 1986.*

# Commencement

**2.** This Act shall come into operation on 1 July 1986.

# Collection Act

**3.** The *Grape Research Levy Collection Act 1986* is incorporated, and shall be read as one, with this Act.

# Interpretation

**4.** In this Act, “levy” means levy imposed by this Act.

# Act to bind Crown

**5.** This Act binds the Crown in right of each of the States, of the Northern Territory and of Norfolk Island.

# Imposition of levy

**6.** Subject to this Act, levy is imposed on prescribed goods delivered to a processing establishment in Australia on or after 1 July 1986.

# Rate of levy

**7. (1)** The rate of levy in respect of leviable goods is—

(a) in the case of fresh grapes—the standard amount per tonne of the grapes; and

(b) in any other case—the standard amount per tonne of the fresh grape equivalent of the leviable goods.

**(2)** In sub-section (1), “standard amount” means such amount, not exceeding 50 cents, as is prescribed.

# By whom levy payable

**8.** Levy in respect of leviable goods is payable by the grower of the leviable goods.

# Exemptions from levy

**9. (1)** Levy is not payable in respect of—

(a) prescribed goods that are delivered during a year to a processing establishment that is an exempt processing establishment in relation to that year;

(b) dried grapes in respect of which levy is payable under the *Dried Fruits Levy Act 1971*;or

(c) grape juice that is delivered to a processing establishment during a year and that was concentrated or extracted at—

(i) another processing establishment; or

(ii) premises where the principal activity carried on during that year was the processing of prescribed goods.

**(2)** For the purposes of sub-section (1), a processing establishment is an exempt processing establishment in relation to a year if the quantity (if any) of fresh grapes, together with the fresh grape equivalent of the quantity (if any) of prescribed goods other than fresh grapes, used in the processing of prescribed goods at the processing establishment during the year amounts to less than 20 tonnes.

**(3)** The regulations may exempt from levy prescribed goods included in a specified class of prescribed goods.

# Regulations

**10. (1)** The Governor-General may make regulations for the purposes of sub-sections 7 (2) and 9 (3).

**(2)** Before making regulations for the purposes of sub-section 7 (2), the Governor-General shall take into consideration any relevant recommendation made to the Minister by the organisation or organisations in respect of which a declaration is in force under sub-section 5 (3) of the *Rural Industries Research Act 1985* in relation to leviable goods.

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

*House of Representatives on 19 March 1986*

*Senate on 29 April 1986*]