



Triticale Levy Act 1988

No. 116 of 1988

An Act to impose a levy on triticale produced in Australia

[Assented to 12 December 1988]

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 *Triticale Levy Act 1988*.

Commencement

2. (1) Sections 1 and 2 commence on the day on which this Act receives the Royal Assent.
(2) The remaining provisions of this Act commence on a day to be fixed by Proclamation.

Acts to be read as one

3. The *Triticale Levy Collection Act 1988* is incorporated, and shall be read as one, with this Act.

Act to bind Crown

4. This Act binds the Crown in right of each of the States and of the Northern Territory.

Imposition of levy

5. Subject to this Act, levy is imposed on leviable grain produced in Australia that is:

- (a) delivered by the grower of the grain to another person, otherwise than for storage on behalf of the grower; or
 - (b) processed by the owner of the grain;
- on or after the commencement of this section.

Rate of levy

6. The rate of levy in respect of any leviable grain is \$1.00 per tonne or such other rate per tonne (not being a rate higher than \$2.00 per tonne) as is from time to time prescribed in relation to that grain.

By whom levy payable

7. Levy on leviable grain is payable by the grower of the grain.

Exemption from levy

8. (1) Where the weight of all the leviable grain delivered by growers of leviable grain to a particular person in a levy year is less than the leviable weight in relation to that year, levy is not imposed on that grain.

(2) Where:

- (a) leviable grain is processed by or for the grower of the grain; and
- (b) all the products and by-products of that processing are used by the grower for domestic purposes or on the growers farm;

levy is not imposed on that grain.

(3) Where the weight of all the leviable grain processed by or for the grower of the grain in a levy year (other than any such grain on which levy is not imposed by virtue of subsection (2)) is less than the leviable weight in relation to that year, levy is not imposed on that grain.

Regulations

9. (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Before making any regulation for the purposes of section 6, the Governor-General shall take into consideration any relevant recommendation made to the Minister by the organisation known, on the commencement of this Act, as the Triticale Association of Australia.

[Minister's second reading speech made in—
House of Representatives on 2 November 1988
Senate on 10 November 1988]