



Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991

No. 26, 1991

Compilation No. 1

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About this compilation

This compilation

This is a compilation of the *Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991* that shows the text of the law as amended and in force on 1 March 1991 (the *compilation date*).

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Legislation Register (www.legislation.gov.au). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on the Legislation Register for the compiled law.

Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on the Legislation Register for the compiled law.

Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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An Act to enact certain saving provisions, and to repeal certain Acts and amend certain Acts, in consequence of the enactment of the *Primary Industries Levies and Charges Collection Act 1991*, and for related purposes

1 Short title

This Act may be cited as the *Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991*.

2 Commencement

This Act commences at the commencement of the *Primary Industries Levies and Charges Collection Act 1991*.

3 Consequential amendments of other Acts

The Acts specified in Schedule 1 are amended as set out in that Schedule.

4 Repeals

The Acts specified in Schedule 2 are repealed.

5 Saving—levy and charge collection

Despite the repeal by this Act of an Act, or the provisions of an Act, relating to the collection of levy or charge imposed by another Act (in this section called the *imposition Act*) and the amendment by this Act of the imposition Act, the Act so repealed or the provisions so repealed, as the case may be, any regulations made under or for the purposes of that Act or those provisions and any agreement entered into between the Commonwealth and a State or Territory under that Act or those provisions continue to apply in relation to levy or charge imposed before the commencement of

this Act as if the repeal had not been effected and the imposition Act had not been amended.

6 Saving—section 9 of the *Pig Slaughter Levy Collection Act 1971*

Despite the repeal of the *Pig Slaughter Levy Collection Act 1971* by this Act, section 9 of that Act continues to apply in relation to contracts referred to in that section entered into before the commencement of this Act as if the repeal had not been effected.

7 Saving—section 118 of the *Dairy Produce Act 1986*

- (1) Where, immediately before the commencement of this section, a person was entitled:
- (a) to make a request under subsection 118(4) of the *Dairy Produce Act 1986*; or
 - (b) to make an application to the Administrative Appeals Tribunal under subsection 118(11) of that Act for a review of a decision other than a decision of the Australian Dairy Corporation under subsection 118(9) of that Act;
- then, despite the amendments of the *Dairy Produce Act 1986* made by this Act, that Act, as in force immediately before the commencement of this Act, continues to apply in respect of that person in relation to the making of such a request or application and in relation to a decision made under subsection 118(7) in relation to such a request as if those amendments had not been made.
- (2) Where:
- (a) before the commencement of this section a person made a request under subsection 118(4) of the *Dairy Produce Act 1986*; and
 - (b) immediately before the commencement of this section, a decision had not been made under subsection 118(7) of that Act in relation to the request;
- then, despite the amendments of the *Dairy Produce Act 1986* made by this Act, that Act, as in force immediately before the commencement of this section, continues to apply in respect of that person in relation to that request and to a decision made under

subsection 118(7) in relation to that request as if those amendments had not been made.

8 Saving—section 20 of the *Cattle and Beef Levy Collection Act 1990*

- (1) Where, immediately before the commencement of this section, a person was entitled:
- (a) to make a request under subsection 20(1) of the *Cattle and Beef Levy Collection Act 1990*; or
 - (b) to make an application to the Administrative Appeals Tribunal under subsection 20(5) of that Act for a review of a decision;

then, despite the repeal of the *Cattle and Beef Levy Collection Act 1990* by this Act, that Act, as in force immediately before the commencement of this Act, continues to apply in respect of that person in relation to the making of such a request or application and in relation to a decision made under subsection 20(3) in relation to such a request as if the repeal had not been effected.

- (2) Where:
- (a) before the commencement of this section a person made a request under subsection 20(1) of the *Cattle and Beef Levy Collection Act 1990*; and
 - (b) immediately before the commencement of this section a decision had not been made under subsection 20(3) of that Act in relation to the request;

then, despite the repeal of the *Cattle and Beef Levy Collection Act 1990* by this Act, that Act, as in force immediately before the commencement of this section, continues to apply in respect of that person in relation to that request and to a decision made under subsection 20(3) in relation to that request as if the repeal had not been effected.

9 Saving—review of decisions

Where, immediately before the commencement of this section, a person was entitled to make an application to the Administrative Appeals Tribunal under a provision specified in column 2 of an item in Schedule 3 of an Act specified in column 3 of that item,

then, despite the repeal or amendment of that Act, that Act, as in force immediately before the commencement of this Act, continues to apply in respect of that person in relation to the making of such an application as if the Act had not been repealed or the amendment made, as the case may be.

Schedule 1—Consequential amendments of other Acts

Section 3

Apple and Pear Export Charge Act 1976

Section 4:

Repeal the section.

Section 5 (definition of *Association*):

Omit the definition, substitute the following definition:

Growers' Association means the association known as the Australian Apple and Pear Growers' Association that was formed at a meeting in Melbourne on 5 and 6 December 1945.

Section 5:

Add at the end the following subsection:

- (3) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 6(2):

Omit the subsection, substitute the following subsection:

- (2) The charge is payable by the producer.

Subsection 8(2):

Omit “Association”, substitute “Growers’ Association”.

Apple and Pear Levy Act 1976

Section 3:

Repeal the section.

Subsection 4(1) (definition of *Association*):

Omit the definition, substitute the following definition:

Growers' Association means the association known as the Australian Apple and Pear Growers' Association that was formed at a meeting in Melbourne on 5 and 6 December 1945.

Subsection 4(1) (definition of *dealer*):

Omit the definition.

Subsection 4(1) (definition of *juicing fruit*):

- (a) Omit "grower" (wherever occurring), substitute "producer".
- (b) Omit "dealer", substitute "selling agent".

Subsection 4(1) (definition of *processing fruit*):

- (a) Omit "grower" (wherever occurring), substitute "producer".
- (b) Omit "dealer", substitute "selling agent".

Subsection 4(1) (definition of *retail sale*):

- (a) Omit "grower", substitute "producer".
- (b) Omit "dealer", substitute "selling agent".

Subsection 4(3):

- (a) Omit "dealer", substitute "selling agent".
- (b) Omit "growers", substitute "producers".

Section 4:

Add at the end the following subsection:

- (4) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges*

Collection Act 1991 for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 5(1):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 5(1A):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 5(2):

Omit “grower”, substitute “producer”.

Subsection 7(1):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 7(3A):

Omit “grower”, substitute “producer”.

Australian Horticultural Corporation Act 1987

Subsection 3(1) (definition of *appoint*):

Omit the definition.

Subsection 3(1):

Insert the following definition:

Levies and Charges Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

After paragraph 47(1)(a):

Insert the following paragraph:

- (aa) amounts received by the Commonwealth by way of penalty under section 15 of the *Levies and Charges Collection Act* in relation to amounts of levy referred to in paragraph (a); and

After paragraph 47(2)(a):

Insert the following paragraph:

- (aa) amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act in relation to amounts of charge referred to in paragraph (a); and

After paragraph 47(4)(a):

Insert the following paragraph:

- (aa) amounts of levy received by the Commonwealth under subsection 7(1) or (2) of the Levies and Charges Collection Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in relation to such levy; and

Paragraph 47(4)(b):

Omit “levy.”, substitute “levy; and”.

After paragraph 47(5)(a):

Insert the following paragraph:

- (aa) amounts of charge received by the Commonwealth under paragraph 7(3)(b) of the Levies and Charges Collection Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in relation to such charge; and

Paragraph 47(5)(b):

Omit “charge.”, substitute “charge; and”.

After paragraph 47(5)(b):

Add the following paragraph:

- (ba) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

After subsection 47(5):

Insert the following subsection:

- (5A) The reference in paragraph (1)(aa) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:
- (a) amounts received by the Commonwealth under paragraph 7(1)(f) of that Act; and
 - (b) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

After subsection 47(6):

Insert the following subsection:

- (6A) The reference in paragraph (2)(aa) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:
- (a) amounts received by the Commonwealth under paragraph 7(1)(f) of that Act; and
 - (b) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

Subsection 47A(1):

Omit the subsection, substitute the following subsection:

- (1) The Corporation may enter into an agreement, in writing, with any person who is responsible under:
- (a) section 7 or 7A of the Levy Collection Act; or
 - (b) section 7 or 7A of the Export Charge Collection Act; or
 - (c) section 7 or 9 of the Levies and Charges Collection Act;
- for the collection of amounts for payment to the Commonwealth, providing for payment by the Corporation to that person in respect of the collection of so much of the amounts collected as are paid to the Corporation.

Subsection 47A(2):

Omit the subsection, substitute the following subsection:

- (2) The Corporation may enter into an agreement in writing, with any person who has agreed, under:
- (a) subsection 7B(1) of the Levy Collection Act; or
 - (b) subsection 7B(1) of the Export Charge Collection Act; or
 - (c) subsection 10(1) or 11(1) of the Levies and Charges Collection Act;
- to collect amounts on behalf of the Commonwealth, providing for payment by the Corporation to that person in respect of the collection of so much of the amounts collected as are paid to the Corporation.

Subparagraph 48(1)(aa)(i):

- (a) Insert “, (aa)” after “paragraph 47(1)(a)”.
- (b) Insert “, (aa)” after “or (2)(a)”.

Australian Meat and Live-stock Corporation Act 1977

Subsections 34(2), (3), (4), (5) and (6):

Omit the subsections, substitute the following subsections:

- (2) A reference in paragraph (1)(a) to amounts of levy received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from the proprietor of an abattoir under subsection 7(2) of the *Primary Industries Levies and Charges Collection Act 1991* and amounts payable by way of penalty under section 13 of that Act in relation to amounts of levy referred to in that paragraph; and
 - (b) amounts received from the proprietor of an abattoir under section 7 of the *Live-stock Slaughter Levy Collection Act 1964* and amounts payable by way of penalty under section 9 of that Act in relation to amounts of levy referred to in that paragraph.
- (3) A reference in paragraph (1)(b) to amounts of charge received by the Commonwealth is to be read as including a reference to:

- (a) amounts payable by way of penalty under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* in relation to amounts of charge referred to in that paragraph; and
 - (b) amounts payable by way of penalty under section 6 of the *Live-stock Export Charge Collection Act 1977* in relation to amounts of charge referred to in that paragraph.
- (4) A reference in paragraph (1)(c) to amounts of levy received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from a processor under subsection 7(1) of the *Primary Industries Levies and Charges Collection Act 1991* and amounts payable by way of penalty under section 15 of that Act in relation to amounts of levy referred to in that paragraph; and
 - (b) amounts received from a processor in accordance with subsection 6(4) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty under section 8 of that Act in relation to amounts of levy referred to in that paragraph.
- (5) A reference in paragraph (1)(d) to amounts of charge received by the Commonwealth is to be read as including a reference to:
- (a) amounts payable by way of penalty under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* in relation to amounts of charge referred to in that paragraph; and
 - (b) amounts received from an exporting agent under subsection 6(5) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty under section 8 of that Act in relation to amounts of charge referred to in that paragraph.
- (6) A reference in paragraph (1)(e) to amounts of levy received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from a selling agent, a processor or a feedlot operator under subsection 7(1) or (2) of the *Primary Industries Levies and Charges Collection Act 1991* and amounts payable by way of penalty under section 15 of that

Act in relation to amounts of levy referred to in that paragraph; and

- (b) amounts received from a selling agent, a processor or a feedlot operator under subsection 6(1), (2) or (3) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty in accordance with section 8 of that Act in relation to amounts of levy referred to in that paragraph.

Australian Meat and Live-stock Research and Development Corporation Act 1985

Subsections 42(4), (5), (6), (7) and (8):

Omit the subsections, substitute the following subsections:

- (4) A reference in paragraph (1)(a) to amounts of levy received by the Commonwealth is to be read as including a reference to:
 - (a) amounts received from the proprietor of an abattoir under subsection 7(2) of the *Primary Industries Levies and Charges Collection Act 1991*, and amounts payable by way of penalty under section 15 of that Act, in relation to amounts of levy referred to in that paragraph; and
 - (b) amounts received from the proprietor of an abattoir under section 7 of the *Live-stock Slaughter Levy Collection Act 1964*, and amounts payable by way of penalty under section 9 of that Act, in relation to amounts of levy referred to in that paragraph.
- (5) A reference in paragraph (1)(b) to amounts of charge received by the Commonwealth is to be read as including a reference to:
 - (a) amounts payable by way of penalty under section 15 of the *Primary Industries Levies and Charges Collection Act 1991* in relation to amounts of charge referred to in that paragraph; and
 - (b) amounts payable by way of penalty under section 6 of the *Live-stock Export Charge Collection Act 1977* in relation to amounts of charge referred to in that paragraph.

- (6) A reference in paragraph (1)(ba) to amounts of levy received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from a processor under subsection 7(1) of the *Primary Industries Levies and Charges Collection Act 1991*, and amounts payable by way of penalty under section 15 of that Act, in relation to amounts of levy referred to in that paragraph; and
 - (b) amounts received from a processor under subsection 6(4) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty under section 8 of that Act in relation to amounts of levy referred to in that paragraph.
- (7) A reference in paragraph (1)(bb) to amounts of charge received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from an exporting agent under subsection 7(3) of the *Primary Industries Levies and Charges Collection Act 1991* and amounts payable by way of penalty under section 15 of that Act in relation to amounts of charge referred to in that paragraph; and
 - (b) amounts received from an exporting agent under subsection 6(5) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty under section 8 of that Act in relation to amounts of charge referred to in that paragraph.
- (8) A reference in paragraph (1)(bc) to amounts of levy received by the Commonwealth is to be read as including a reference to:
- (a) amounts received from a selling agent, a processor or a feedlot operator under subsection 7(1) or (2) of the *Primary Industries Levies and Charges Collection Act 1991* and amounts payable by way of penalty under section 15 of that Act in relation to amounts of levy referred to in that paragraph; and
 - (b) amounts received from a selling agent, a processor or a feedlot operator under subsection 6(1), (2) or (3) of the *Cattle and Beef Levy Collection Act 1990* and amounts payable by way of penalty under section 8 of that Act in relation to amounts of levy referred to in that paragraph.

Australian Wine and Brandy Corporation Act 1980

Subsection 4(1) (definition of *appoint*):

Omit the definition.

Paragraph 32(b):

After “*Wine Grapes Levy Collection Act 1979*” insert “or section 15 of the *Primary Industries Levies and Charges Collection Act 1991*”.

Section 33:

After “*Wine Grapes Levy Collection Act 1979*” insert “or section 18 of the *Primary Industries Levies and Charges Collection Act 1991*”.

Barley Research Levy Act 1980

Section 3:

Repeal the section.

Subsection 4(1) (definitions of *grower* and *marketing law*):

Omit the definitions.

Subsection 4(2):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 4(3):

Omit “grower”, substitute “producer”.

Subsection 4(4):

Omit “grower” (wherever occurring), substitute “producer”.

Section 4:

Add at the end the following subsection:

- (5) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges*

Collection Act 1991 for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 5(2):

Omit “grower” (wherever occurring), substitute “producer”.

Section 7:

Omit “grower”, substitute “producer”.

Beef Production Levy Act 1990

Section 3:

Repeal the section.

Section 4 (definition of *abattoir*):

Omit the definition.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Cattle Export Charge Act 1990

Section 3:

Repeal the section.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Cattle Transaction Levy Act 1990

Section 3:

Repeal the section.

Subsection 4(1) (definition of *processor*):

Omit the definition.

Subsection 4(1) (definition of *National Cattle Disease Eradication Trust Account*):

Omit the definition, substitute the following definition:

National Cattle Disease Eradication Trust Account means the trust account of that name continued in existence by section 4 of the *National Cattle Disease Eradication Trust Account Act 1991*.

Section 4:

Add at the end the following subsection:

- (5) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Cotton Levy Act 1982

Section 3:

Repeal the section.

Section 4 (definitions of grower and marketing law):

Omit the definitions.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 5(3):

Omit “grower”, substitute “producer”.

Dairy Produce Act 1986

Subsection 3(1):

Insert the following definition:

Levies and Charges Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 3(1) (definition of corporation levy):

Omit the definition, substitute the following definition:

corporation levy means the levy of that name imposed by the first Levy Act and includes amounts of penalty (if any) payable under the Levies and Charges Collection Act in relation to that levy.

Subsection 3(1) (definition of *dairy products levy*):

Omit “section 67 of this Act”, substitute “section 15 of the Levies and Charges Collection Act”.

Subsection 3(1) (definition of *exotic animal disease levy*):

Omit “this Act”, substitute “the Levies and Charges Collection Act”.

Subsection 3(1) (definition of *market support levy*):

Omit “this Act”, substitute “the Levies and Charges Collection Act”.

Subsection 3(1) (definition of *promotion levy*):

Omit “this Act”, substitute “the Levies and Charges Collection Act”.

Subsection 3(1) (definition of *research levy*):

Omit “this Act”, substitute “the Levies and Charges Collection Act”.

Heading to Part VI:

Omit the heading, substitute the following heading:

Refunds of levies

Division 1 of Part VI:

Repeal the Division.

Heading to Division 2 of Part VI:

Omit the heading.

Sections 66 to 69 (inclusive):

Repeal the sections.

Paragraph 71(1)(b):

Omit “under subsection 62(1)”, substitute “under subsection 7(1) or (2) of the Levies and Charges Collection Act”.

Paragraph 74(1)(d):

Omit “under subsection 65(2)”, substitute “under subsection 18(3) of the Levies and Charges Collection Act”.

Paragraph 90(1)(b):

Omit “under subsection 62(1)”, substitute “under section 7 of the Levies and Charges Collection Act”.

Paragraph 93(1)(c):

Omit “under subsection 62(1)”, substitute “under section 7 of the Levies and Charges Collection Act”.

Paragraph 101(d):

Omit “subsection 65(2)”, substitute “subsection 18(3) of the Levies and Charges Collection Act”.

Paragraph 107(c):

Omit “subsection 69(2)”, substitute “subsection 18(3) of the Levies and Charges Collection Act”.

Paragraph 108(2)(c):

Omit “subsection 69(2)”, substitute “subsection 18(3) of the Levies and Charges Collection Act”.

Paragraph 113(2)(b):

Omit the paragraph.

Subsection 118(1) (definition of *relevant decision*):

Omit paragraphs (a), (b) and (c), substitute the following paragraphs:

- (a) a relevant licence decision; or
- (b) a relevant payment decision.

Subsection 118(1) (definition of *relevant remission decision*):

Omit the definition.

Subsection 118(1) (definition of *reviewable decision*):

Omit paragraph (a).

Subsection 118(4):

Omit the subsection.

Subsection 118(6):

Omit “, (4)”.

Subsections 118(7) and (8):

Omit the subsections.

Paragraphs 126(d) and (e):

Omit the paragraphs.

Dairy Produce Levy (No. 1) Act 1986

Section 3:

Repeal the section.

Subsection 4(1) (definitions of *producer* and *Dairy Produce Act*):

Omit the definitions.

Subsection 4(1):

Insert the following definition:

Levies and Charges Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 4(2):

Omit “Dairy Produce Act”, substitute “Levies and Charges Collection Act”.

Subsection 4(3):

Omit “Dairy Produce Act”, substitute “Levies and Charges Collection Act”.

Subsection 4(4):

Omit “Dairy Produce Act”, substitute “Levies and Charges Collection Act”.

Subsection 4(5):

Omit “Dairy Produce Act”, substitute “Levies and Charges Collection Act”.

Subsection 4(7):

Omit “Dairy Produce Act”, substitute “Levies and Charges Collection Act”.

Section 4:

Add at the end the following subsection:

- (8) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the Levies and Charges Collection Act for the purposes of that Act has the same meaning in this Act as in the Levies and Charges Collection Act.

Subsection 11(1):

Omit “the proprietor of the factory at which they are produced”, substitute “the producer”.

Section 13:

Repeal the section.

Dairy Produce Levy (No. 2) Act 1986

Section 3:

Repeal the section.

Section 10:

Omit “importer”, substitute “producer”.

Dried Fruits Levy Act 1971

Section 3:

Repeal the section.

Subsection 4(1) (definitions of *packing house*, *packed* and *the packer*):

Omit the definitions.

Subsection 4(2):

- (a) Omit “for packing”, substitute “for processing”.
- (b) Omit “packing house”, substitute “processing establishment”.

Section 4:

Add at the end the following subsection:

- (3) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 5:

Omit “packing”, substitute “processing”.

Subsection 6(4):

Omit “packing”, substitute “processing”.

Section 7:

Repeal the section, substitute the following section:

7 By whom levy payable

Levy in respect of dried fruits is payable by the producer.

Dried Vine Fruits Equalization Act 1978

Subsection 3(1) (definitions of *packer* and *producer*):

Omit the definitions.

Subsection 3(1) (definition of *levy*):

Omit the definition, substitute the following definition:

levy means an amount of levy imposed by the Levy Act, and includes a penalty under section 15 of the *Primary Industries Levies and Charges Collection Act 1991*.

Section 31:

Repeal the section, substitute the following section:

31 Review of decisions

Applications may be made to the Administrative Appeals Tribunal for review of decisions made by the Minister for the purposes of subsection 19(3).

Dried Vine Fruits Equalization Levy Act 1978

Section 3:

Repeal the section.

Section 4:

Repeal the section, substitute the following section:

4 Interpretation

(1) In this Act, unless the contrary intention appears:

authorised person means a person who is an authorised person for the purposes of this Act because of an appointment made by the Minister under section 8A.

levy means levy imposed by this Act.

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

After section 8:

Insert the following section:

8A Appointment of authorised persons

The Minister may, by writing signed by the Minister, appoint a person to be an authorised person for the purposes of this Act.

Goat Fibre Levy Act 1989

Section 3:

Repeal the section.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 7:

Omit “grower”, substitute “producer”.

Section 9:

Omit the section, substitute the following section:

9 Exemption from levy of fibre used by producer

Where all the leviable fibre that has been both produced by, and processed by or on behalf of a producer in a levy year is such that, but for this section, the levy that would be payable in respect of the fibre would be less than the leviable amount in relation to that year, levy is not imposed on that fibre.

Section 10:

- (a) Omit “growers”, substitute “producers”.
- (b) Omit “dealer”, substitute “buying agent or selling agent”.

Grain Legumes Levy Act 1985

Section 3:

Repeal the section.

Subsection 4(1) (definitions of *grower, levy year, marketing law and processing*):

Omit the definitions.

Subsection 4(2):

- (a) Omit “grower” (wherever occurring), substitute “producer”.
- (b) Omit “grower’s”, substitute “producer’s”.

Subsection 4(3):

Omit “grower”, substitute “producer”.

Subsection 4(4):

Omit “grower” (wherever occurring), substitute “producer”.

Section 4:

Add at the end the following subsection:

- (6) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 6(2):

Omit “grower” (wherever occurring), substitute “producer”.

Section 8:

Omit “grower”, substitute “producer”.

Subsection 9(1):

Omit “growers”, substitute “producers”.

Subsection 9(2):

- (a) Omit “grower” (wherever occurring), substitute “producer”.
(b) Omit “grower’s”, substitute “producer’s”.

Subsection 9(3):

Omit “grower” (wherever occurring), substitute “producer”.

Grape Research Levy Act 1986

Section 3:

Repeal the section.

Section 4:

Repeal the section, substitute the following section:

4 Interpretation

- (1) In this Act, unless the contrary intention appears:

dried grapes means grapes containing less than 60% of moisture by mass.

fresh grapes means grapes containing not less than 60% of moisture by mass.

levy means levy imposed by this Act.

prescribed goods means:

- (a) fresh grapes; and
 - (b) dried grapes; and
 - (c) grape juice, whether single strength or concentrated; being grapes or grape juice produced in Australia.
- (2) For the purposes of this Act, the quantity of fresh grapes that is the equivalent of a quantity of prescribed goods other than fresh grapes is a number of tonnes equal to:
- (a) in the case of dried grapes—a number ascertained by multiplying the number of tonnes of that quantity of dried grapes by 3; and
 - (b) in the case of grape juice—a number ascertained by dividing the number of litres of that quantity of grape juice:
 - (i) in the case of single-strength grape juice—by 800 or, if another number is for the time being prescribed for the purposes of this subparagraph, that other number; and
 - (ii) in the case of concentrated grape juice—by a number that bears to the number applicable for the purposes of subparagraph (i) the same proportion as the strength of the single-strength grape juice from which the concentrated grape juice was derived bears to the strength of the concentrated grape juice.
- (3) For the purposes of this Act, premises are a processing establishment during 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 those premises during that year, or either of the immediately preceding 2 years (including years commencing before 1 July 1986), amounts, or amounted, to not less than 5 tonnes.

- (4) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 8:

Omit “grower”, substitute “producer”.

Honey Export Charge Act 1973

Section 3:

Repeal the section.

Section 4:

- (a) Insert the following definition:

honey means honey that is produced in Australia.

- (b) Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 8:

Omit “exporter”, substitute “producer”.

Honey Levy Act (No. 1) 1962

Section 3:

Repeal the section.

Section 3A (definition of *month*):

Omit the definition.

Section 3A:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 6:

Omit “vendor”, substitute “producer”.

Honey Levy Act (No. 2) 1962

Section 3:

Repeal the section.

Section 3A (definition of *month*):

Omit the definition.

Section 3A:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Honey Marketing Act 1988

Paragraph 50(a):

Add at the end “and”.

Paragraph 50(b):

Add at the end “and”.

Paragraph 50(c):

Add at the end “and”.

Paragraph 50(d):

Add at the end “and”.

After paragraph 50(d):

Insert the following paragraph:

- (da) so much of the amounts from time to time received by the Commonwealth in discharge of a person’s liability (other than a liability in respect of a penalty under section 15 of the Levies and Charges Collection Act) under subsection 7(1) of that Act in respect of amounts payable by virtue of paragraph 5(1)(a) of the *Honey Levy Act (No. 1) 1962* or of paragraph 5(1)(a) of the *Honey Levy Act (No. 2) 1962*; and

After paragraph 50(e):

Insert the following paragraph:

- (ea) so much of the amounts (if any) received by the Commonwealth as penalties under section 15 of the Levies and Charges Collection Act as relates to amounts referred to in paragraph (a) of this section; and

Paragraph 50(f):

Add at the end “and”.

After paragraph 50(f):

Add the following paragraph:

- (g) so much of the amounts (if any) received by the Commonwealth and payable by way of penalty under section 15 of the Levies and Charges Collection Act as relates to amounts referred to in paragraph (b), (c), (d) or (da) of this section.

Section 50:

Add at the end the following subsection:

- (2) In this section:

Levies and Charges Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 57(7) (definition of *Parliament*):

Omit the definition, substitute the following definition:

Parliament means:

- (a) in relation to the Australian Capital Territory—the Legislative Assembly for the Australian Capital Territory; and
(b) in relation to the Northern Territory—the Legislative Assembly of the Northern Territory.

Subsection 57(7) (definition of *State*):

After “includes” insert “the Australian Capital Territory and”.

Horticultural Export Charge Act 1987

Section 4:

Repeal the section.

After section 5:

Insert the following section:

5A Interpretation

- (1) In this Act, unless the contrary intention appears:

chargeable horticultural products means horticultural products prescribed for the purposes of this definition.

cut flowers and foliage includes processed cut flowers and foliage.

fruits includes processed fruits.

horticultural products means:

- (a) fruits; and
- (b) vegetables; and
- (c) nuts; and
- (d) nursery products; and
- (e) cut flowers and foliage; and
- (f) products prescribed for the purposes of this paragraph.

nursery products includes trees, shrubs, plants, seeds, bulbs, corms, tubers, propagating material and plant tissue cultures, grown for ornamental purposes or for producing fruits, vegetables, nuts or cut flowers and foliage.

nuts includes processed nuts.

vegetables includes:

- (a) mushrooms and other edible fungi; and
- (b) processed vegetables (including mushrooms and other edible fungi).

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 12:

Omit “owner”, substitute “producer”.

Horticultural Levy Act 1987

Section 4:

Repeal the section.

After section 5:

Insert the following section:

5A Interpretation

(1) In this Act, unless the contrary intention appears:

cut flowers and foliage includes processed cut flowers and foliage.

fruits includes processed fruits.

horticultural products means:

- (a) fruits; and
- (b) vegetables; and
- (c) nuts; and
- (d) nursery products; and
- (e) cut flowers and foliage; and
- (f) products prescribed for the purposes of this paragraph.

leviable horticultural products means horticultural products prescribed for the purposes of this definition.

nursery products includes trees, shrubs, plants, seeds, bulbs, corms, tubers, propagating material and plant tissue cultures, grown for ornamental purposes or for producing fruits, vegetables, nuts or cut flowers and foliage.

nuts includes processed nuts.

vegetables includes:

- (a) mushrooms and other edible fungi; and
- (b) processed vegetables (including mushrooms and other edible fungi).

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Horticultural Policy Council Act 1987

Section 3 (definition of *appoint*):

Omit the definition.

Section 3 (definition of *Parliament*):

Omit the definition, substitute the following definition:

Parliament means:

- (a) in relation to the Australian Capital Territory—the Legislative Assembly for the Australian Capital Territory; and
- (b) in relation to the Northern Territory—the Legislative Assembly of the Northern Territory.

Section 3 (definition of *State*):

After “includes” insert “the Australian Capital Territory and”.

Horticultural Research and Development Corporation Act 1987

Subsection 3(1) (definitions of *appoint*, *Export Charge Collection Act* and *Levy Collection Act*):

Omit the definitions.

Subsection 3(1):

Insert the following definition:

Levies and Charges Collection Act means the *Primary Industries Levies and Charges Collection Act 1991*.

After paragraph 45(1)(a):

Insert the following paragraph:

- (aa) amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act in relation to amounts of levy referred to in paragraph (a); and

After paragraph 45(2)(a):

Insert the following paragraph:

- (aa) amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act in relation to amounts of charge referred to in paragraph (a); and

After paragraph 45(4)(a):

Insert the following paragraph:

- (aa) amounts of levy received by the Commonwealth under subsection 7(1) or (2) of the Levies and Charges Collection Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in relation to such levy; and

Paragraph 45(4)(b):

Omit “levy.”, substitute “levy; and”.

After paragraph 45(5)(a):

Insert the following paragraph:

- (aa) amounts of charge received by the Commonwealth under paragraph 7(3)(a) of the Levies and Charges Collection Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in relation to such charge; and

Paragraph 45(5)(b):

Omit “charge.”, substitute “charge; and”.

After paragraph 45(5)(b):

Add the following paragraph:

- (ba) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

After subsection 45(5):

Insert the following subsection:

- (5A) The reference in paragraph (1)(aa) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:
 - (a) amounts received by the Commonwealth under paragraph 7(1)(f) of that Act; and
 - (b) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

After subsection 45(6):

Insert the following subsection:

- (6A) The reference in paragraph (2)(aa) to amounts received by the Commonwealth by way of penalty under section 15 of the Levies and Charges Collection Act includes a reference to:
 - (a) amounts received by the Commonwealth under paragraph 7(3)(b) of that Act; and
 - (b) amounts received by the Commonwealth under subsection 9(1) of that Act, or by virtue of an agreement entered into under section 10 or 11 of that Act, in respect of penalty payable under that Act.

Subsection 45A(1):

Omit the subsection, substitute the following subsection:

- (1) The Corporation may enter into an agreement, in writing, with any person who is responsible under:
 - (a) section 7 or 7A of the Levy Collection Act; or
 - (b) section 7 or 7A of the Export Charge Collection Act; or

(c) section 7 or 9 of the Levies and Charges Collection Act; for the collection of amounts for payment to the Commonwealth, providing for payment by the Corporation to that person in respect of the collection of so much of the amounts collected as are paid to the Corporation.

Subsection 45A(2):

Omit the subsection, substitute the following subsection:

- (2) The Corporation may enter into an agreement in writing, with any person who has agreed, under:
- (a) subsection 7B(1) of the Levy Collection Act; or
 - (b) subsection 7B(1) of the Export Charge Collection Act; or
 - (c) subsection 10(1) or 11(1) of the Levies and Charges Collection Act;
- to collect amounts on behalf of the Commonwealth, providing for payment by the Corporation to that person in respect of the collection of so much of the amounts collected as are paid to the Corporation.

Subparagraph 48(1)(aa)(i):

- (a) Insert “, (aa)” after “paragraph 45(1)(a)”.
- (b) Insert “, (aa)” after “or (2)(a)”.

Laying Chicken Levy Act 1988

Section 3:

Repeal the section.

After section 3:

Insert the following sections:

3A Interpretation

- (1) In this Act, unless the contrary intention appears:

chicken means a chicken hatched from the egg of a domesticated fowl.

hatchery means a hatchery where chickens are hatched for commercial purposes.

laying chicken means a female chicken that is to be raised for the production of eggs.

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

3B Nominal groups of 100 chickens

For the purposes of this Act, where, in accordance with the practice of the poultry industry, the proprietor of a hatchery treats a number of chickens, being a number not exceeding 106, as 100 chickens, that number of chickens will be taken to be 100 chickens.

Section 8:

Omit “proprietor of the hatchery in which the chickens were hatched”, substitute “producer of the chickens”.

Live-stock Export Charge Act 1977

Section 3:

Repeal the section.

Section 4 (definition of exporter):

Omit the definition.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 12:

- (a) Omit “exporter”, substitute “producer”.
(b) Add at the end the following subsection:

- (2) In this section:

producer includes a State and an authority of a State.

Live-stock Slaughter Levy Act 1964

Section 3:

Repeal the section.

Subsection 4(1) (definition of *abattoir*):

Omit the definition.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Meat Chicken Levy Act 1969

Section 3:

Repeal the section.

Section 4:

Insert the following definition:

hatchery means a hatchery where chickens are hatched for commercial purposes.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Oilseeds Levy Act 1977

Section 3:

Repeal the section.

Subsection 4(1) (definitions of grower, levy year, marketing law and processing):

Omit the definitions.

Subsection 4(2):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 4(3):

Omit “grower”, substitute “producer”.

Subsection 4(4):

Omit “grower” (wherever occurring), substitute “producer”.

Section 4:

Add at the end the following subsection:

- (6) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Subsection 5(2):

Omit “grower” (wherever occurring), substitute “producer”.

Section 7:

Omit “grower”, substitute “producer”.

Subsection 8(1):

Omit “growers”, substitute “producers”.

Subsection 8(2):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 8(3):

Omit “grower”, substitute “producer”.

Pasture Seed Levy Act 1989

Section 3:

Repeal the section.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 8:

Omit “grower”, substitute “producer”.

Pig Industry Act 1986

Section 3 (definition of *appoint*):

Omit the definition.

Subsection 12(6) (definition of *Parliament*):

Parliament means:

- (a) in relation to the Australian Capital Territory—the Legislative Assembly for the Australian Capital Territory; and
- (b) in relation to the Northern Territory—the Legislative Assembly of the Northern Territory.

Subsection 12(6) (definition of *State*):

After “includes” insert “the Australian Capital Territory and”.

Subsection 23(2):

Omit the subsection, substitute the following subsection:

- (2) A reference in subsection (1) to amounts of levy received by the Commonwealth includes a reference to:
 - (a) amounts received from the producer under subsection 7(1) of the *Primary Industries Levies and Charges Collection Act 1991*, and amounts payable by way of penalty under section 15 of that Act, in relation to amounts of levy referred to in that subsection; and
 - (b) amounts received from the producer under section 6 of the *Pig Slaughter Levy Collection Act 1971*, and amounts payable by way of penalty under section 7 of that Act, in relation to amounts of levy referred to in that subsection.

Pig Slaughter Levy Act 1971

Section 3:

Repeal the section.

Section 4 (definition of *abattoir*):

Omit the definition.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 7:

Omit “person who owns the pig at the time when the slaughter takes place”, substitute “producer”.

Poultry Industry Levy Act 1965

Section 3:

Repeal the section.

Section 4:

Add at the end the following subsection:

- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 7:

Omit “owner”, substitute “producer”.

Primary Industries and Energy Research and Development Act 1990

Section 35:

Repeal the section.

Sugar Cane Levy Act 1987

Section 3:

Repeal the section.

Subsection 4(1) (definitions of grower, miller, organisation and premises):

Omit the definitions.

Section 4:

Add at the end the following subsection:

- (3) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 8:

Repeal the section, substitute the following section:

8 By whom levy payable

Levy on accepted sugar cane is payable:

- (a) as to 50% of the levy or such other percentage as is prescribed from time to time for the purposes of this

- paragraph—by the producer prescribed for the purposes of this paragraph; and
- (b) as to the remainder of the levy—by the producer prescribed for the purposes of this paragraph.

Triticale Levy Act 1988

Section 3:

Repeal the section.

After section 4:

Insert the following section:

4A Interpretation

- (1) In this Act, unless the contrary intention appears:

leviable grain means triticale.

leviable weight, in relation to a levy year, means:

- (a) 15 tonnes; or
- (b) if, before the commencement of the levy year, another weight is prescribed in relation to that year, that prescribed weight.
- (2) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Paragraph 5(a):

Omit “grower” (wherever occurring), substitute “producer”.

Section 7:

Omit “grower”, substitute “producer”.

Subsection 8(1):

Omit “growers”, substitute “producers”.

Subsection 8(2):

- (a) Omit “grower” (wherever occurring), substitute “producer”.
- (b) Omit “growers”, substitute “producer’s”.

Subsection 8(3):

Omit “grower”, substitute “producer”.

Wheat Industry Fund Levy Act 1989

Section 3:

Repeal the section.

After section 4:

Insert the following section:

4A Interpretation

- (1) In this Act, unless the contrary intention appears:

value means sale value as ascertained in accordance with the regulations.
- (2) Where a producer of wheat permits the wheat to be delivered to another person or to be taken by another person out of the producer’s possession or control, the producer is taken to have delivered the wheat to the other person.
- (3) Where a producer of wheat causes the wheat to be carried by a person or persons to another person who does not receive the wheat for the purpose of carrying it to a further destination, the wheat is taken to have been delivered to the last-mentioned person.
- (4) If the ownership of wheat passes from the producer to a person or to a number of persons in succession without any delivery of the

wheat, a reference in this Act to the producer is a reference to that person or the last of those persons, as the case may be.

- (5) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 5:

Omit “grower” (wherever occurring), substitute “producer”.

Section 7:

Omit “grower”, substitute “producer”.

Subsection 8(1):

Omit “grower” (wherever occurring), substitute “producer”.

Subsection 8(2):

Omit “grower” (wherever occurring), substitute “producer”.

Wheat Marketing Act 1989

Section 84 (definition of *levy*):

Omit the definition, substitute the following definition:

levy means:

- (a) levy imposed by the *Wheat Industry Fund Levy Act 1989*;
and
- (b) any amount payable by way of penalty under section 7 of the *Wheat Industry Fund Levy Collection Act 1989*; and
- (c) any amount payable by way of penalty under section 7 of the *Primary Industries Levies and Charges Collection Act 1991*.

Section 84 (definition of *value*):

Omit the definition, substitute the following definition:

value has the same meaning as in the *Wheat Industry Fund Levy Act 1989*.

Wine Grapes Levy Act 1979

Section 3:

Repeal the section.

Subsection 4(1) (definitions of *proprietor* and *year*):

Omit the definitions.

Section 4:

Add at the end the following subsection:

- (6) Unless the contrary intention appears, a word or expression contained in this Act that is not defined for the purposes of this Act but is defined in the *Primary Industries Levies and Charges Collection Act 1991* for the purposes of that Act has the same meaning in this Act as in the *Primary Industries Levies and Charges Collection Act 1991*.

Section 7:

Repeal the section, substitute the following section:

7 By whom levy payable

Levy in respect of any prescribed goods used at a winery during a year in the manufacture of wine is payable by the producer.

Schedule 2—Repeal of Acts

Section 4

Apple and Pear Export Charge Collection Act 1976

Apple and Pear Levy Collection Act 1976

Barley Research Levy Collection Act 1980

Cattle and Beef Levy Collection Act 1990

Cotton Levy Collection Act 1982

Dairying Industry Research and Promotion Levy Act 1972

Dried Fruits Levy Collection Act 1971

Egg Industry Research (Hen Quota) Levy Collection Act 1987

Goat Fibre Levy Collection Act 1989

Grain Legumes Levy Collection Act 1985

Grape Research Levy Collection Act 1986

Honey Export Charge Collection Act 1973

Honey Levy Collection Act 1962

Horticultural Export Charge Collection Act 1987

Horticultural Levy Collection Act 1987

Laying Chickens Levy Collection Act 1988

Live-stock Export Charge Collection Act 1977

Live-stock Slaughter Levy Collection Act 1964

Meat Chicken Levy Collection Act 1969

Oilseeds Levy Collection Act 1977

Pasture Seed Levy Collection Act 1989

*Primary Industries Levies and Charges Collection (Consequential Provisions)
Act 1991*

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Schedule 2 Repeal of Acts

Pig Slaughter Levy Collection Act 1971

Poultry Industry Levy Collection Act 1965

Sugar Cane Levy Collection Act 1987

Triticale Levy Collection Act 1988

Wheat Industry Fund Levy Collection Act 1989

Wine Grapes Levy Collection Act 1979

Schedule 3—Provisions that provide for the review of decisions

Section 9

Column 1	Column 2	Column 3
Item No.	Provision	Act
1	Section 36	<i>Barley Levy Collection Act 1980</i>
2	Section 29	<i>Cotton Levy Collection Act 1982</i>
3	Section 10A	<i>Dairying Industry Research and Promotion Levy Collection Act 1972</i>
4	Subsections 7(5), (6) and (7)	<i>Egg Industry Research (Hen Quota) Levy Collection Act 1987</i>
5	Section 17	<i>Goat Fibre Levy Collection Act 1989</i>
6	Section 14	<i>Grain Legumes Levy Collection Act 1985</i>
7	Section 14	<i>Grape Research Levy Collection Act 1986</i>
8	Section 12A	<i>Honey Levy Collection Act 1962</i>
9	Section 19	<i>Horticultural Export Charge Collection Act 1987</i>
10	Section 19	<i>Horticultural Levy Collection Act 1987</i>
11	Section 17	<i>Laying Chicken Levy Collection Act 1988</i>
12	Section 15A	<i>Live-stock Slaughter Levy Collection Act 1964</i>
13	Section 10A	<i>Meat Chicken Levy Collection Act 1969</i>
14	Section 13	<i>Pasture Seed Levy Collection Act 1989</i>
15	Section 11A	<i>Poultry Industry Levy Collection Act 1965</i>
16	Section 14	<i>Sugar Cane Levy Collection Act 1987</i>
17	Section 18	<i>Triticale Levy Collection Act 1988</i>
18	Section 19	<i>Wheat Industry Fund Levy Collection Act 1989</i>
19	Section 13	<i>Wine Grapes Levy Collection Act 1979</i>

Endnotes

Endnote 1—About the endnotes

Endnotes

Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

Endnotes

Endnote 2—Abbreviation key

Endnote 2—Abbreviation key

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

Endnote 3—Legislation history

Endnote 3—Legislation history

Act	Number and year	Assent	Commencement	Application, saving and transitional provisions
Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991	26, 1991	1 Mar 1991	1 July 1991 (s 2)	
Primary Industries and Energy Legislation Amendment Act (No. 1) 1997	22, 1997	7 Apr 1997	Sch 5 (items 5–9): 1 Mar 1991 (s 2(5))	—

Primary Industries Levies and Charges Collection (Consequential Provisions) Act 1991

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Endnotes

Endnote 4—Amendment history

Endnote 4—Amendment history

Provision affected	How affected
Schedule 1	
Schedule 1	am No 22, 1997
