

**Dairy Produce Amendment Act 1992**

**No. 67 of 1992**

**An Act to amend the *Dairy Produce Act 1986***

[*Assented to 26 June 1992*]

The Parliament of Australia enacts:

**Short title etc.**

**1.(1)** This Act may be cited as the *Dairy Produce Amendment Act 1992.*

**(2)** In this Act, **“Principal Act”** means the *Dairy Produce Act 1986*1*.*

**Commencement**

**2.(1)** Subject to this section, this Act commences on the day on which it receives the Royal Assent.

**(2)** Section 6 commences on 1 July 1992.

**Application of Industry Fund**

**3.** Section 88 of the Principal Act is amended:

**(a)** by inserting after paragraph (1)(a) the following paragraphs:

“(ab) in meeting the expenses of the Corporation in performing its functions under paragraphs 7(a), (b) and (c);

(ac) in payments to the Council to enable the Council to acquire real property;”;

**(b)** by adding at the end the following subsections:

“(3) The Corporation may not expend any amount standing to the credit of the Industry Fund for a purpose specified in paragraph (1)(ab), (ac), (b), (c), (k) or (m) without the written approval of the Minister.

“(4) The approval of the Minister:

1. must be given by notice in writing; and
2. may be subject to conditions specified in the notice.”.

**Application of the Promotion Fund**

**4.** Section 91 of the Principal Act is amended by inserting after paragraph (a) the following paragraph:

“(aaa) in meeting the expenses of the Corporation in performing its functions under paragraphs 7(a), (b) and (c);”.

**Market support payments**

**5.** Section 94 of the Principal Act is amended by omitting from paragraph (1)(b) “1992” and substituting “2000”.

**Rate of market support payments in relation to prescribed dairy produce**

**6.** Section 95 of the Principal Act is amended:

1. by omitting from paragraph (4)(a) “30%” and substituting “the percentage that under subsection (4A) is the percentage applicable in relation to prescribed dairy produce exported at that time”;
2. by inserting after subsection (4) the following subsection:

“(4A) For the purposes of paragraph (4)(a), the percentage applicable in relation to prescribed dairy produce exported at any time during the financial year specified in Column 2 of an item in the following Table is the percentage specified in Column 3 of that item.

|  |
| --- |
| **TABLE** |
| **Column 1** | **Column 2** | **Column 3** |
| **Item** | **Financial** |  |
| **No.** | **year** | **%** |
| 1 | 1992-93 | 22 |
| 2 | 1993-94 | 20.286 |
| 3 | 1994-95 | 18.572 |
| 4 | 1995-96 | 16.858 |
| 5 | 1996-97 | 15.144 |
| 6 | 1997-98 | 13.43 |
| 7 | 1998-99 | 11.716 |
| 8 | 1999-2000 | 10 |

**(c)** by omitting from subsection (6) “that is less than 30%” and substituting “(being a percentage that is less than the percentage that, apart from the determination, would be the relevant percentage in force at that time in relation to that dairy produce)”.

**Special rates on market support payments for underwritten dairy produce**

**7.** Section 98 of the Principal Act is amended:

**(a)** by inserting before subsection (1) the following subsection:

“(1A) In this section:

**‘subsequent financial year’** does not include a financial year after the financial year beginning on 1 July 1991.”;

**(b)** by inserting in subsection (1) “(not being a year after 1991)” after “year” (first occurring).

**Winding-up of Market Support Fund**

**8.** Section 102 of the Principal Act is amended by omitting from subsection (1) “1992” and substituting “2000”.

**Repeal of Division**

**9.** Division 5 of Part VII of the Principal Act is repealed.

**NOTE**

1. No. 54, 1986, as amended. For previous amendments, see No. 168, 1986; Nos. 162 and 141, 1987; Nos. 51, 111 and 114, 1988; Nos. 129 and 130, 1989; Nos. 15 and 17, 1990; and Nos. 26 and 39, 1991.

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

*House of Representatives on 6 May 1992*

*Senate on 28 May 1992*]