

EXPLANATORY STATEMENT

STATUTORY RULES 1989 NO 44.

Issued by the Authority of the Minister for Primary Industries
and Energy.

HORTICULTURAL LEVY ACT 1987

HORTICULTURAL LEVY COLLECTION ACT 1987

HORTICULTURAL LEVY (CITRUS) REGULATIONS (AMENDMENT)

HORTICULTURAL LEVY (APPLE AND PEAR) REGULATIONS
(AMENDMENT)

The proposed Regulations will:

- (a) increase the operative rate of levy payable for grapefruit (not in bulk) from a total of 1.67 cents per box to 2 cents per box;
- (b) enable first purchasers and selling agents of fruit whose annual liability for levy is small, to lodge annual returns of levy rather than monthly returns:
- (c) provide that for producers and prescribed purchasers of citrus required to lodge annual returns, the calendar year 1988 means the period commencing 1 August and ending 31 December 1988.

Section 6 of the Horticultural Levy Act 1987, (the Levy Act) imposes a levy on certain horticultural products produced and sold in Australia.

Sections 8 and 9 of the Levy Act provides that regulations may fix rates of levy destined for the Australian Horticultural Corporation (AHC) and the Horticultural Research and Development Corporation (HRDC) in relation to these horticultural products. The present operative rates for grapefruit (not in bulk) are 1.25 cents and 0.42 cents per box respectively or 1.67 cents in total.

Subsections 14(3) and 14(4) of the Levy Act require that before making regulations for the purposes of sections 8 and 9, the Governor-General shall take into consideration any relevant recommendation made to the Minister by the AHC and HRDC respectively. The AHC, on behalf of the HRDC, after consulting with the Australian Citrus Growers' Federation, has recommended that the operative rates be increased to 1.5 cents and 0.5 cents per box or 2 cents per box in total. The main reason for seeking the change is to facilitate the collection of the levy by reducing the number of decimal places within the rates of levy. The new rates will commence on 1 April 1989.

Regulation 8 of both the Horticultural Levy (Citrus) and Levy (Apple and Pear) Regulations requires selling agents and first purchasers of leviable horticultural products to lodge monthly returns. A considerable number of these returns are for quite small amounts of levy. To reduce the cost of collection it is proposed that agents and purchasers whose annual liability for levy is less than \$1,000 (or such other prescribed amount) be given the opportunity to lodge annual returns.

Regulation 9 of the Horticultural Levy (Citrus) Regulations requires certain producers and prescribed producers of citrus to lodge annual returns for each calendar year. As the Regulations came into effect on 1 August 1988 it is proposed to define the 1988 calendar year for these persons as beginning 1 August and ending 31 December 1988.

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