



Oilseeds Levy Amendment Act 1992

No. 123 of 1992

An Act to amend the *Oilseeds Levy Act 1977*, to change the way the levy is calculated

[Assented to 17 October 1992]

The Parliament of Australia enacts:

Short title, etc.

1.(1) This Act may be cited as the *Oilseeds Levy Amendment Act 1992*.

5 (2) In this Act, “Principal Act” means the *Oilseeds Levy Act 1977*.

Commencement

2. This Act commences, or is taken to have commenced (as the case requires), on 1 October 1992.

Interpretation

10 3. Section 4 of the Principal Act is amended:

(a) by omitting from subsection (1) the definition of “exempt weight” and substituting the following definition:

“‘leviable amount’, in relation to a levy year, means:

(a) \$50; or

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- (b) if, before the commencement of the levy year, another amount is prescribed in relation to that year, that prescribed amount;”;
- (b) by adding at the end of subsection (1) the following definition: “‘value’ means the value as worked out in accordance with the regulations.”. 5

Rate of levy

4. Section 6 of the Principal Act is repealed and the following section is substituted:

- “6.(1) The rate of levy is: 10
 - (a) 1% of the value of the leviable oilseeds; or
 - (b) if a different rate is prescribed under section 9—that different rate.

“(2) The prescribed rate must not be more than 3% of the value of the leviable oilseeds.”. 15

5. Section 8 of the Principal Act is repealed and the following section is substituted:

Exemption from levy

- “8.(1) If, in a levy year:
 - (a) leviable oilseeds are delivered to a particular person by producers of the oilseeds; and 20
 - (b) apart from this subsection, the amount of levy in respect of the oilseeds would be less than the leviable amount;levy is not imposed on the oilseeds.

- “(2) If: 25
 - (a) leviable oilseeds are processed by or for the producer of the oilseeds; and
 - (b) the producer uses the oilseeds, or all of the products and by-products of the processing, for domestic purposes or on the producer’s farm; 30levy is not imposed on the oilseeds.

- “(3) If, in a levy year:
 - (a) a producer processes leviable oilseeds that he or she has produced; and
 - (b) paragraph (2)(b) does not apply in respect of the oilseeds; and 35
 - (c) apart from this subsection, the amount of levy in respect of the oilseeds would be less than the leviable amount;levy is not imposed on the oilseeds.”.

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Regulations

6. Section 9 of the Principal Act is amended by omitting from paragraph (2)(a) “exempt weight” and substituting “leviable amount”.

NOTE

1. No. 112, 1977, as amended. For previous amendments, see No. 16, 1990; and No. 26, 1991.

*[Minister's second reading speech made in—
House of Representatives on 25 June 1992
Senate on 20 August 1992]*