



# Grain Legumes Levy Amendment Act 1992

No. 124 of 1992

---

## An Act to amend the *Grain Legumes Levy Act 1985*, 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 *Grain Legumes Levy Amendment Act 1992*.

5 (2) In this Act, “Principal Act” means the *Grain Legumes Levy Act 1985*<sup>1</sup>.

### Commencement

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

10 **Interpretation**

3. Section 4 of the Principal Act is amended:

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

*Grain Legumes Levy Amendment No. 124, 1992*

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

(a) \$50; or

(b) if, before the commencement of the levy year, another amount is prescribed in relation to that year, that prescribed amount;”;

5

(b) by adding at the end of subsection (1) the following definition:  
“**value**’ means the value as worked out in accordance with the regulations.”.

**Rate of levy**

4. Section 7 of the Principal Act is repealed and the following section is substituted:

10

“7.(1) The rate of levy is:

(a) 1% of the value of the leviable grain legumes; or

(b) if a different rate is prescribed under section 10—that different rate.

15

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

5. Section 9 of the Principal Act is repealed and the following section is substituted:

**Exemption from levy**

20

“9.(1) If, in a levy year:

(a) leviable grain legumes are delivered to a particular person by producers of grain legumes; and

(b) apart from this section, the amount of levy in respect of the grain legumes would be less than the leviable amount;

25

levy is not imposed on the grain legumes.

“(2) If:

(a) leviable grain legumes are processed by or for the producer of the grain legumes; and

(b) the producer uses the grain legumes, or all of the products and by-products of the processing for domestic purposes or on the producer’s farm;

30

levy is not imposed on the grain legumes.

“(3) If, in a levy year:

(a) a producer processes leviable grain legumes that he or she has produced; and

35

(b) paragraph (2)(b) does not apply in respect of the grain legumes; and

*Grain Legumes Levy Amendment No. 124, 1992*

(c) apart from this subsection, the amount of levy in respect of the grain legumes would be less than the leviable amount; levy is not imposed on the grain legumes.”.

**Regulations**

- 5      6. Section 10 of the Principal Act is amended by omitting from paragraph (2)(a) “weight” and substituting “amount”.
- 

**NOTE**

1. No. 106, 1985, as amended. For previous amendments, see No. 158, 1989; and No. 26, 1991.
- 

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