Horse Disease Response Levy Bill 2008

No. , 2008

(Agriculture, Fisheries and Forestry)

A Bill for an Act to impose a levy on the registration of horses, and for related purposes
A Bill for an Act to impose a levy on the registration of horses, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Horse Disease Response Levy Act* 2008.

2 Commencement

This Act commences on the day after it receives the Royal Assent.

3 Definitions

In this Act:

*horse* includes a pony.
Section 4

**horse industry body** means a body declared to be a horse industry body under subsection 7(1).

**horse registration body** means:

(a) a person or body in Australia with whom a horse may be registered; or

(b) a person or body specified in, or included in a class of persons or bodies specified in, the regulations.

**owner**, in relation to a horse, means the person who will become, on registration of the horse, the registered owner.

4 Imposition of levy

(1) Horse disease response levy is imposed on the first registration of a horse with a horse registration body that occurs on or after the day on which this Act commences.

(2) Horse disease response levy is not imposed on any subsequent registration of the horse, even if a subsequent registration is with another horse registration body.

5 Rate of levy

(1) The regulations may fix a rate of horse disease response levy.

(2) The regulations may provide that the rate of horse disease response levy is zero.

6 Who pays the levy

Horse disease response levy is payable by the owner of a horse.

7 Declaration of horse industry body

(1) If the Minister considers that a body is a national body which is representative of the horse industry, the Minister may, by writing, declare the body to be a horse industry body.

(2) A declaration is not a legislative instrument.
8 Act does not impose levy on property of a State

(1) This Act does not impose a tax on property of any kind belonging to a State.

(2) In this section:

property of any kind belonging to a State has the same meaning as in section 114 of the Constitution.

(3) For the purposes of this section, it is to be assumed that a reference in section 114 of the Constitution to a State includes a reference to the Australian Capital Territory and the Northern Territory.

9 Regulations

(1) The Governor-General may make regulations prescribing matters:

(a) required or permitted by this Act to be prescribed; or

(b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) Before the Governor-General makes regulations for the purpose of section 5, the Minister must take into consideration any relevant recommendations made to the Minister by a horse industry body.