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The Parliament of the  
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

*Presented and read a first time*

**Rural Research and Development  
Legislation Amendment Bill 2014**

**No.     , 2014**

*(Agriculture)*

**A Bill for an Act to amend legislation relating to  
research and development for primary industries,  
and for related purposes**



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1     **A Bill for an Act to amend legislation relating to**  
2     **research and development for primary industries,**  
3     **and for related purposes**

4     The Parliament of Australia enacts:

5     **1 Short title**

6                     This Act may be cited as the *Rural Research and Development*  
7                     *Legislation Amendment Act 2014*.

8     **2 Commencement**

9                     (1) Each provision of this Act specified in column 1 of the table  
10                     commences, or is taken to have commenced, in accordance with  
11                     column 2 of the table. Any other statement in column 2 has effect  
12                     according to its terms.

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| <b>Commencement information</b>   |  |                     |
|---|--|---------------------|
| <b>Column 1</b>   | <b>Column 2</b>  | <b>Column 3</b>     |
| <b>Provisions</b>   | <b>Commencement</b>  | <b>Date/Details</b> |
| 1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table | The day after this Act receives the Royal Assent.  |                     |
| 2. Schedule 1, Part 1, Division 1   | The day after this Act receives the Royal Assent.  |                     |
| 3. Schedule 1, Part 1, Division 2   | The later of:<br>(a) the day after this Act receives the Royal Assent; and<br>(b) 31 March 2015. |                     |
| 4. Schedule 1, Part 2   | The day after this Act receives the Royal Assent.  |                     |
| 5. Schedule 2, Part 1   | 1 October 2014.  | 1 October 2014      |
| 6. Schedule 2, Part 2   | The day after this Act receives the Royal Assent.  |                     |

1 Note: This table relates only to the provisions of this Act as originally  
2 enacted. It will not be amended to deal with any later amendments of  
3 this Act.

4 (2) Any information in column 3 of the table is not part of this Act.  
5 Information may be inserted in this column, or information in it  
6 may be edited, in any published version of this Act.

### 7 **3 Schedules**

8 Legislation that is specified in a Schedule to this Act is amended or  
9 repealed as set out in the applicable items in the Schedule  
10 concerned, and any other item in a Schedule to this Act has effect  
11 according to its terms.

1 **Schedule 1—Contributions to international**  
2 **organisations**

3 **Part 1—Amendments**

4 **Division 1—Amendments commencing on the day after**  
5 **Royal Assent**

6 *Australian Grape and Wine Authority Act 2013*

7 **1 Subsection 4(1)**

8 Insert:

9 *international grape and wine organisation*: see section 31L.

10 *membership contribution*: see section 31L.

11 *membership contribution amount* has the same meaning as in  
12 section 37.

13 **2 Before section 32**

14 Insert:

15 **31L Definitions of *international grape and wine organisation* and**  
16 ***membership contribution***

17 (1) In this Act:

18 *international grape and wine organisation* means an international  
19 commodities organisation, the activities of which relate to the  
20 grape and wine industry, that is determined under subsection (3).

21 *membership contribution* means an amount payable annually by  
22 the Commonwealth in relation to its membership of an  
23 international grape and wine organisation.

24 (2) For the purposes of this Act, if a membership contribution is paid  
25 by the Commonwealth otherwise than in Australian currency, the  
26 amount of the contribution is taken to be the value in Australian  
27 currency of the payment as worked out at the time of the payment.

- 1 (3) The Minister may, by legislative instrument, determine an  
2 international commodities organisation for the purposes of the  
3 definition of *international grape and wine organisation* in  
4 subsection (1).

5 **3 Paragraph 32(ai)**

6 Omit “sections 32A and 32B”, substitute “sections 32A, 32B and 37”.

7 **4 After paragraph 35(1)(ad)**

8 Insert:

- 9 (ae) in payment to the Commonwealth of membership  
10 contribution amounts under section 37; and

11 **5 After section 36**

12 Insert:

13 **37 Membership contribution amounts payable by the Authority**

- 14 (1) The payment to the Authority of amounts under paragraph 32(ai) in  
15 relation to moneys applied by the Authority in a financial year is  
16 subject to the condition under subsection (2).
- 17 (2) For the purposes of subsection (1), the condition is that the  
18 Authority pay to the Commonwealth, in accordance with  
19 subsection (3), an amount (a *membership contribution amount*)  
20 equal to the amount of any membership contribution that the  
21 Commonwealth has paid to an international grape and wine  
22 organisation for that year.
- 23 (3) The Authority must pay the membership contribution amount in  
24 relation to a membership contribution before the end of:
- 25 (a) 31 October next following the financial year in which the  
26 Commonwealth paid the membership contribution; or  
27 (b) an extended period approved by the Minister.
- 28 (4) The Commonwealth may set off the membership contribution  
29 amount against its payment to the Authority of an amount under  
30 paragraph 32(ai).

31 Note: Paragraph 32(ai) provides for the Commonwealth to pay amounts to  
32 the Authority in relation to certain moneys applied by the Authority  
33 under subsection 35(1).



1 ***Primary Industries Research and Development Act 1989***

2 **6 Subsection 4(1)**

3 Insert:

4 ***international organisation***: see section 29A.

5 ***membership contribution***: see section 29A.

6 ***membership contribution amount*** has the same meaning as in  
7 section 34A.

8 **7 Before section 30**

9 Insert:

10 **29A Definitions of *international organisation* and *membership***  
11 ***contribution***

12 (1) In this Act:

13 ***international organisation*** means an international commodities  
14 organisation, or an international fisheries organisation, that is  
15 determined under subsection (3), the activities of which relate to a  
16 primary industry in relation to which an R&D Corporation  
17 specified in the determination is established.

18 ***membership contribution*** means an amount payable annually by  
19 the Commonwealth in relation to its membership of an  
20 international organisation.

21 (2) For the purposes of this Act, if a membership contribution is paid  
22 by the Commonwealth otherwise than in Australian currency, the  
23 amount of the contribution is taken to be the value in Australian  
24 currency of the payment as worked out at the time of the payment.

25 (3) The Minister may, by legislative instrument, determine one or  
26 more international commodities organisations or international  
27 fisheries organisations, in relation to a specified R&D Corporation,  
28 for the purposes of the definition of ***international organisation*** in  
29 subsection (1).

1 **8 Paragraph 30(1)(b)**

2 Omit “sections 31 and 32”, substitute “sections 31, 32 and 34A”.

3 **9 Paragraph 30(1)(b)**

4 Omit “paragraph 33(1)(d)”, substitute “paragraphs 33(1)(d) and (daa)”.

5 **10 Subsection 30A(2)**

6 Omit “The”, substitute “Subject to section 34A, the”.

7 **11 Paragraph 30A(2)(a)**

8 Omit “paragraph 33(1)(d)”, substitute “paragraphs 33(1)(d) and (daa)”.

9 **12 Paragraphs 30A(2)(b) and (c)**

10 Omit “amount so spent or required to be spent by the Corporation for  
11 that financial year”, substitute “sum of the amount so spent or required  
12 to be spent by the Corporation for that financial year and the  
13 membership contribution amount for that year”.

14 **13 Paragraph 30A(2)(d)**

15 Omit “along”, substitute “long”.

16 **14 Subsection 30B(3)**

17 Omit “The”, substitute “Subject to section 34A, the”.

18 **15 Paragraph 30B(3)(a)**

19 Omit “paragraph 33(1)(d)”, substitute “paragraphs 33(1)(d) and (daa)”.

20 **16 Paragraph 30B(3)(b)**

21 Omit “amount so spent or required to be spent by the Corporation in  
22 relation to the fishery for that financial year”, substitute “sum of the  
23 amount so spent or required to be spent by the Corporation in relation to  
24 the fishery for that financial year and the membership contribution  
25 amount for that year”.

26 **17 Paragraph 32(1A)(a)**

27 After “attached”, insert “to”.

1 **18 After paragraph 33(1)(d)**

2 Insert:

3 (daa) in payment to the Commonwealth of membership  
4 contribution amounts under section 34A; and

5 **19 After section 34**

6 Insert:

7 **34A Membership contribution amounts payable by R&D**  
8 **Corporations**

9 (1) This section applies to an R&D Corporation specified in a  
10 determination under subsection 29A(3) in relation to one or more  
11 international organisations.

12 (2) The payment to the Corporation of amounts under  
13 paragraph 30(1)(b) or subsection 30A(2) or 30B(3) in relation to  
14 amounts spent by the Corporation in a financial year is subject to  
15 the condition under subsection (3).

16 (3) For the purposes of subsection (2), the condition is that the  
17 Corporation pay to the Commonwealth, in accordance with  
18 subsection (4), an amount (a *membership contribution amount*)  
19 equal to the amount of any membership contribution that the  
20 Commonwealth has paid to the international organisation (or  
21 organisations) for that year.

22 (4) The Corporation must pay the membership contribution amount in  
23 relation to a membership contribution before the end of:

- 24 (a) 31 October next following the financial year in which the  
25 Commonwealth paid the membership contribution; or  
26 (b) an extended period approved by the Minister.

27 (5) The Commonwealth may set off the membership contribution  
28 amount against its payment to the Corporation of an amount under  
29 paragraph 30(1)(b) or subsection 30A(2) or 30B(3).

30 Note: Paragraph 30(1)(b) and subsections 30A(2) and 30B(3) provide for the  
31 Commonwealth to pay amounts to an R&D Corporation in relation to  
32 certain money spent by the Corporation under section 33.

1 **Division 2—Amendments commencing on the later of the**  
2 **day after Royal Assent and 31 March 2015**

3 ***Sugar Research and Development Services Act 2013***

4 **20 Section 4**

5 Insert:

6 ***international sugar organisation***: see section 5A.

7 **21 Section 4 (paragraph (c) of the definition of *matching***  
8 ***amounts*)**

9 Omit “regulations”, substitute “rules”.

10 **22 Section 4**

11 Insert:

12 ***membership contribution***: see section 5A.

13 ***membership contribution amount***: see section 5A.

14 **23 Section 5**

15 Omit:

16 The second kind of payments (called ***matching payments***):  
17 (a) are to be spent by the company on research and  
18 development benefiting the Australian sugar industry  
19 and the Australian community generally, and on  
20 payments of the Commonwealth’s expenses relating to  
21 the collection of amounts it receives from the industry as  
22 primary industry levies and related payments; and

23 substitute:

24 The second kind of payments (called ***matching payments***):  
25 (a) are to be spent by the company on research and  
26 development benefiting the Australian sugar industry  
27 and the Australian community generally, as well as on  
28 certain payments to the Commonwealth; and

1 **24 After section 5**

2 Insert:

3 **5A Definitions of *international sugar organisation*, *membership***  
4 ***contribution* and *membership contribution amount***

5 (1) In this Act:

6 ***international sugar organisation*** means an international  
7 commodities organisation, the activities of which relate to the  
8 sugar industry, that is specified in a funding contract.

9 ***membership contribution*** means an amount payable annually by  
10 the Commonwealth in relation to its membership of an  
11 international sugar organisation.

12 ***membership contribution amount***, in relation to a financial year,  
13 means an amount equal to the amount of any membership  
14 contribution that the Commonwealth has paid to an international  
15 sugar organisation for that year.

16 (2) For the purposes of this Act and a funding contract, if a  
17 membership contribution is paid by the Commonwealth otherwise  
18 than in Australian currency, the amount of the contribution is taken  
19 to be the value in Australian currency of the payment as worked  
20 out at the time of the payment.

21 **25 After subparagraph 6(2)(b)(i)**

22 Insert:

23 (ia) payments by the company to the Commonwealth, as  
24 provided for under paragraph (ba), of membership  
25 contribution amounts;

26 **26 After paragraph 6(2)(b)**

27 Insert:

28 (ba) matching payments to the company for a financial year are  
29 made subject to the condition that the company pay to the  
30 Commonwealth the membership contribution amount for that  
31 year; and

**Schedule 1** Contributions to international organisations  
**Part 1** Amendments

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1 (bb) the Commonwealth may set off the membership contribution  
2 amount for a financial year against any matching payment it  
3 makes to the company; and

4 **27 Subsection 7(3A)**

5 Omit “regulations”, substitute “rules”.

1 **Part 2—Application of amendments**

2 **28 Amendments of the *Australian Grape and Wine Authority***  
3 ***Act 2013***

4 The amendments of the *Australian Grape and Wine Authority Act 2013*  
5 made by Division 1 of Part 1 apply in relation to membership  
6 contributions paid by the Commonwealth in the financial year starting  
7 on 1 July 2014 and later financial years.

8 **29 Amendments of the *Primary Industries Research and***  
9 ***Development Act 1989***

10 The amendments of the *Primary Industries Research and Development*  
11 *Act 1989* made by Division 1 of Part 1 apply in relation to membership  
12 contributions paid by the Commonwealth in the financial year starting  
13 on 1 July 2014 and later financial years.

14 **30 Amendments of the *Sugar Research and Development***  
15 ***Services Act 2013***

16 The amendments of the *Sugar Research and Development Services Act*  
17 *2013* made by Division 2 of Part 1 apply in relation to membership  
18 contributions paid by the Commonwealth in the financial year starting  
19 on 1 July 2014 and later financial years.

1 **Schedule 2—Deregulation amendments**  
2 **Part 1—Amendments commencing on 1 October**  
3 **2014**

4 *Australian Meat and Live-stock Industry Act 1997*

5 **1 Division 4 of Part 3**  
6 Repeal the Division.

7 *Dairy Produce Act 1986*

8 **2 Subsections 5(6) and (7)**  
9 Repeal the subsections.

10 **3 Subsection 13(2)**  
11 Repeal the subsection.

12 **4 Section 14**  
13 Repeal the section.

14 **5 Subclause 79C(1) of Schedule 2**  
15 Omit “(1)”.

16 **6 Subclause 79C(2) of Schedule 2**  
17 Repeal the subclause.

18 *Forestry Marketing and Research and Development Services*  
19 *Act 2007*

20 **7 Subsections 8(6) and (7)**  
21 Repeal the subsections.



1 ***Sugar Research and Development Services Act 2013***

2 **8 Subsections 6(6) and (7)**

3 Repeal the subsections.

1 **Part 2—Amendments commencing on the day after**  
2 **Royal Assent**

3 *Primary Industries Research and Development Act 1989*

4 **9 Section 142**

5 Repeal the section.