EXPLANATORY STATEMENT

Select Legislative Instrument 2007 No. 131

Issued by the Authority of the Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry

Primary Industries (Excise) Levies Act 1999
Primary Industries (Customs) Charges Act 1999

Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 5)
Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 4)

Section 8 of the Primary Industries (Excise) Levies Act 1999 (the Excise Act), and section 8 of the Primary Industries (Customs) Charges Act 1999 (the Charges Act), respectively provide that the Governor-General may make regulations prescribing matters required or permitted by those Acts to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to those Acts.

The Regulations change the current buffalo slaughter levy and export charge from seventy three cents per head to zero cents per head of buffalo. The Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 5), (the Excise regulations), and the Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 4), (the Charges regulations), respectively set the initial rate of levy and export charge.

The buffalo industry no longer needed to impose a levy or charge, for slaughter or export of buffalo, for the purposes of tuberculosis and/or brucellosis eradication. This followed the termination of tuberculosis and brucellosis programs and the declaration of freedom from the diseases in Australia. Levy and charge payers, through the Australian Buffalo Industry Council, approved the changes to the levy and charge. To allow the current levies and charges to be reduced to zero, changes were made under Schedule 27 to the Primary Industries (Excise) Levies Act 1999 and under Schedule 14 to the Primary Industries (Customs) Charges Act 1999.

Sub clause 14(2) of Schedule 27 to the Excise Act provides that if there is a body designated in relation to a particular product, and before the Governor-General makes regulations, the Minister must take into consideration any relevant recommendation made to the Minister by the designated industry body. Sub clause 13(2) of Schedule 14 to the Charges Act provides that if there is a body designated in relation to a particular product, and before the Governor-General makes regulations, the Minister must take into consideration any relevant recommendation made to the Minister by the designated industry body. The designated body for the buffalo industry is the Australian Buffalo Industry Council. The Minister considered the proposal for the designated body and the support given by the levy payers and approved the changes to the levy and charge.

The Office of Best Practice Regulations was consulted and the relevant Regulation Impact Statement identifier is RIS ID number 9126.

Details of the Regulations, namely, the Excise regulations and the Charges regulations are contained in Attachments A and B respectively.

The Regulations commenced on the day after they were registered.
DETAILS OF THE PRIMARY INDUSTRIES (EXCISE) LEVIES AMENDMENT REGULATIONS 2007 (No. 5).

Regulation 1 provides for the name of the Regulations to be the Primary Industries (Excise) Levies Amendment Regulations 2007 (No. 5).

Regulation 2 provides for the Regulations to commence on the day after they are registered.

Regulation 3 provides that Schedule 1 amends the Primary Industries (Excise) Levies Regulations 1999.

SCHEDULE 1 AMENDMENTS

Item 1 provides that the levy on the slaughter of buffalo is nil.
DETAILS OF THE PRIMARY INDUSTRIES (CUSTOMS) CHARGES AMENDMENT REGULATIONS 2007 (No. 4).

Regulation 1 provides for the name of the Regulations to be the Primary Industries (Customs) Charges Amendment Regulations 2007 (No. 4).

Regulation 2 provides for the Regulations to commence on the day after they are registered.

Regulation 3 provides that Schedule 1 amends the Primary Industries (Customs) Charges Regulations 2000.

SCHEDULE 1 AMENDMENTS

Item 1 provides that the charge payable on the export of buffalo is nil.