Primary Industries (Excise) Levies Amendment Regulations 2010 (No. 3)

Select Legislative Instrument 2010 No. 111

I, QUENTIN BRYCE, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the Primary Industries (Excise) Levies Act 1999.

Dated 3 June 2010

QUENTIN BRYCE
Governor-General

By Her Excellency’s Command

TONY BURKE
Minister for Agriculture, Fisheries and Forestry
1 Name of Regulations

These Regulations are the *Primary Industries (Excise) Levies Amendment Regulations 2010 (No. 3)*.

2 Commencement

These Regulations commence as follows:

(a) on the day after they are registered — regulations 1 to 3 and Schedule 1;

(b) on the first day of the first month after the month in which Schedule 1 commences — Schedule 2.

3 Amendment of *Primary Industries (Excise) Levies Regulations 1999*

Schedules 1 and 2 amend the *Primary Industries (Excise) Levies Regulations 1999*. 
Schedule 1 Amendments commencing on day after registration
(regulation 3)

[1] Reader's Guide, paragraph 2A

substitute

2A. Levies are also imposed on some plant products to fund national emergency plant pest responses and the activities of Plant Health Australia Limited.

[2] Schedule 15, Part 15, after the heading

insert

Division 15.1 Product levy

[3] Schedule 15, after clause 15.5

insert

Division 15.2 Special purpose levies

15.6 EPPR levy

(1) For clause 2 of Schedule 27 to the Excise Levies Act, EPPR levy is imposed on stone fruit on which levy is imposed by Schedule 15 to the Excise Levies Act.

(2) For clause 6 of Schedule 27 to the Excise Levies Act, the rate of EPPR levy on stone fruit is nil.

(3) For clause 11 of Schedule 27 to the Excise Levies Act, EPPR levy on stone fruit is payable by the producer of the stone fruit.

Note In relation to EPPR levy, see Plant Health Australia (Plant Industries) Funding Act 2002.
[4] Schedule 15, Part 20, after the heading

<insert>

Division 20.1 Product levy

[5] Schedule 15, after clause 20.5

<insert>

Division 20.2 Special purpose levies

20.6 EPPR levy

(1) For clause 2 of Schedule 27 to the Excise Levies Act, EPPR levy is imposed on table grapes on which levy is imposed by Schedule 15 to the Excise Levies Act.

(2) For clause 6 of Schedule 27 to the Excise Levies Act, the rate of EPPR levy on table grapes is nil.

(3) For clause 11 of Schedule 27 to the Excise Levies Act, EPPR levy on table grapes is payable by the producer of the table grapes.

Note In relation to EPPR levy, see Plant Health Australia (Plant Industries) Funding Act 2002.

[6] Schedule 24, after the heading

<insert>

Part 1 Product levy
[7] Schedule 24, after clause 2

insert

Part 2 Special purpose levies

3 EPPR levy

(1) For clause 2 of Schedule 27 to the Excise Levies Act, EPPR levy is imposed on sugar cane on which levy is imposed by Schedule 24 to the Excise Levies Act.

(2) For clause 6 of Schedule 27 to the Excise Levies Act, the rate of EPPR levy on sugar cane is nil.

(3) For clause 11 of Schedule 27 to the Excise Levies Act, EPPR levy on sugar cane is payable by the producer of the sugar cane.

Note In relation to EPPR levy, see Plant Health Australia (Plant Industries) Funding Act 2002.

[8] Schedule 25, Part 1, heading

substitute

Part 1 Product levy
Schedule 2  Further amendments
(regulation 3)

[1]  Schedule 15, Part 3, after the heading

    insert

Division 3.1  Product levy

[2]  Schedule 15, paragraph 3.4 (a)

    omit

    0.73

    insert

    0.72

[3]  Schedule 15, clause 3.4A

    omit

[4]  Schedule 15, after clause 3.5

    insert

Division 3.2  Special purpose levies

3.6  PHA levy

    (1)  For clause 2 of Schedule 27 to the Excise Levies Act, PHA levy is imposed on apples (other than juicing apples or processing apples) on which levy is imposed by Schedule 15 to the Excise Levies Act.

    (2)  For clause 6 of Schedule 27 to the Excise Levies Act, the rate of PHA levy on apples is 0.02 of a cent per kilogram of apples.
(3) For clause 11 of Schedule 27 to the Excise Levies Act, PHA levy on apples is payable by the producer of the apples.

3.7 EPPR levy

(1) For clause 2 of Schedule 27 to the Excise Levies Act, EPPR levy is imposed on apples and pears on which levy is imposed by Schedule 15 to the Excise Levies Act.

(2) For clause 6 of Schedule 27 to the Excise Levies Act:
   (a) the rate of EPPR levy on apples is nil; and
   (b) the rate of EPPR levy on pears is nil.

(3) For clause 11 of Schedule 27 to the Excise Levies Act, EPPR levy on apples is payable by the producer of the apples.

(4) For clause 11 of Schedule 27 to the Excise Levies Act, EPPR levy on pears is payable by the producer of the pears.

Note In relation to EPPR levy, see Plant Health Australia (Plant Industries) Funding Act 2002.

Note