



# **Export Inspection (Establishment Registration Charges) Regulations 1985**

**Statutory Rules 1985 No. 362 as amended**

made under the

*Export Inspection (Establishment Registration Charges)  
Act 1985*

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This compilation was prepared on 1 January 2012  
taking into account amendments up to SLI 2011 No. 239

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Attorney-General's Department, Canberra

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**1 Commencement**

These Regulations shall come into operation on 1 January 1986.

**2 Name of Regulations** [see Note 1]

These Regulations are the *Export Inspection (Establishment Registration Charges) Regulations 1985*.

**3 Definitions**

In these Regulations:

**Act** means the *Export Inspection (Establishment Registration Charges) Act 1985*.

**Australian Standard for Meat** means the *Australian Standard for the Hygienic Production and Transportation of Meat and Meat Products for Human Consumption*, (AS 4696–2007), published on 31 July 2007.

**boning** means a procedure (other than mechanical separation or rendering to produce meat fractions) for:

- (a) removing the meat from the bones of a carcase or carcase part; or
- (b) the production of bone-in or boneless meat cuts.

**calendar month** means one of the 12 months of the calendar year.

**casing** has the meaning given by suborder 8.1 of the *Export Control (Meat and Meat Products) Orders 2005*, as applied by Part 2 of those Orders.

**charge day** means:

- (a) in relation to a meat establishment and a charge period — the first day, in the charge period, on which the meat establishment is registered for operations associated with the preparation of meat; and

- (b) in relation to a dairy establishment and a charge period — the first day in the charge period on which the dairy establishment is registered for operations associated with the preparation of milk or milk products; and
- (c) in relation to a fish establishment and a charge period — the first day, in the charge period, on which the fish establishment is registered for operations associated with the preparation of fish; and
- (d) in relation to an egg establishment and a charge period — the first day in the charge period on which the egg establishment is registered for operations associated with the preparation of eggs and egg products.

***charge period:***

- (a) in relation to a meat establishment — means a calendar month commencing on or after the day on which this paragraph commences; and
- (b) in relation to a dairy establishment — means a financial year commencing after 30 June 2009; and
- (c) in relation to a fish establishment — means:
  - (i) for a financial year that had not ended when this paragraph commences — the period commencing on 1 January 2012 and ending at the end of that financial year; and
  - (ii) a financial year commencing on or after 1 January 2012; and
- (d) in relation to an egg establishment — means:
  - (i) for a financial year that had not ended when this paragraph commences — the period commencing on 1 January 2012 and ending at the end of that financial year; and
  - (ii) a financial year commencing on or after 1 January 2012.

***charging days*** means the number of days in the period that commences on the charge day and ends at the end of the charge period.

***co-operative*** means a body registered as a co-operative under a law of a State or Territory.

**corporation** has the same meaning as in the *Corporations Act 2001*.

**dairy establishment** means an establishment that is registered for any operations associated with the preparation of milk or milk products for export.

**dressing:**

- (a) in relation to meat, other than game meat, means the progressive separation of the body of an animal into a carcase (or sides of a carcase), offal and inedible material; and
- (b) in relation to game meat, means the process of removing the head, hide, skin, viscera, genital organs, urinary bladder and feet from a game animal.

**egg** has the same meaning as in the *Export Control (Eggs and Egg Products) Orders 2005*.

**egg establishment** means an establishment that is registered for any operations associated with the preparation of eggs and egg products for export.

**egg product** has the same meaning as in the *Export Control (Eggs and Egg Products) Orders 2005*.

**eggs and egg products** has the same meaning as in the *Export Control (Eggs and Egg Products) Orders 2005*.

**fish** has the meaning given in suborder 8.1 of the *Export Control (Fish and Fish Products) Orders 2005*, as applied by Part 2 of those Orders.

**fish establishment** means an establishment that is registered for operations associated with the preparation of fish or fish products for export.

**fish product** has the meaning given in suborder 8.1 of the *Export Control (Fish and Fish Products) Orders 2005*, as applied by Part 2 of those Orders.

**further processing** means the processing of meat or meat products to form a new product with different characteristics and flavour, and includes curing, heat treating, drying, canning, fermenting and rendering.

**grain** has the same meaning as **prescribed grain** in suborder 6.1 of the *Export Control (Plants and Plant Products) Order 2011*.

**grain establishment** means an establishment that is registered for any operations associated with the preparation of grain for export.

**meat** has the meaning given in suborder 8.1 of the *Export Control (Meat and Meat Products) Orders 2005*, as applied by Part 2 of those Orders.

**meat establishment** means an establishment that is registered for any operations associated with the preparation of the following, for export:

- (a) meat or meat products;
- (b) wild game meat or wild game meat products;
- (c) poultry meat or poultry meat products.

**meat product** has the meaning given in suborder 8.1 of the *Export Control (Meat and Meat Products) Orders 2005*, as applied by Part 2 of those Orders.

**milk** has the same meaning as in order 7 of the *Export Control (Milk and Milk Products) Orders 2005*, as applied by Part 2 of those Orders.

**milk product** has the same meaning as in order 7 of the *Export Control (Milk and Milk Products) Orders 2005*, as applied by Part 2 of those Orders.

**poultry meat** has the meaning given by suborder 1.09 (1) of the *Export Control (Poultry Meat and Poultry Meat Products) Orders 2010*.

**poultry meat product** has the meaning given by suborder 1.09 (1) of the *Export Control (Poultry Meat and Poultry Meat Products) Orders 2010*.

**prescribed day**, in relation to the registration of an establishment means:

- (a) if the establishment is registered, or was first registered, on the 28th, 29th, 30th or 31st day in a month — the 28th day in any month; or
- (b) if the establishment is registered, or was first registered, on any other day in a month — that day in any month.

**slaughter** means the killing of an animal, and includes the following:

- (a) rendering the animal unconscious and insensible to pain;

- (b) severing the large blood vessels of the animal to induce effective bleeding;
- (c) bleeding the animal.

**wild game meat** has the meaning given by suborder 1.10 (1) of the *Export Control (Wild Game Meat and Wild Game Meat Products) Orders 2010*.

**wild game meat product** has the meaning given by suborder 1.10 (1) of the *Export Control (Wild Game Meat and Wild Game Meat Products) Orders 2010*.

*Note 1* For the definitions of **establishment**, **preparation** and **prescribed commodity**, see the *Export Inspection and Meat Charges Collection Act 1985*.

*Note 2* For registration of dairy establishments, see the *Export Control (Milk and Milk Products) Orders 2005*.

*Note 3* For registration of fish establishments, see the *Export Control (Fish and Fish Products) Orders 2005*.

*Note 4* For registration of meat establishments, see:

- (a) the *Export Control (Meat and Meat Products) Orders 2005*; and
- (b) the *Export Control (Prescribed Goods — General) Order 2005*; and
- (c) the *Export Control (Poultry Meat and Poultry Meat Products) Orders 2010*; and
- (d) the *Export Control (Wild Game Meat and Wild Game Meat Products) Orders 2010*; and
- (e) the *Export Control (Rabbit and Ratite Meat) Orders 1985*.

*Note 5* For other provisions relating to establishment registration charges (including when a charge is due for payment), see the *Export Inspection and Meat Charges Collection Regulations 1985*.

## 4 Imposition of charge

- (1) For subsection 6 (1) of the Act, the following commodities are specified:
  - (a) fish;
  - (b) fish products;
  - (c) wild game meat;
  - (d) wild game meat products;
  - (e) meat;
  - (f) meat products;
  - (g) milk;

- (h) milk products;
  - (i) poultry meat;
  - (j) poultry meat products;
  - (k) grain.
  - (k) eggs;
  - (l) egg products.
- (2) For subsection 6 (1) of the Act, the charge for an application for the registration of an establishment in relation to the processing, packing or storage of a commodity mentioned in subregulation (1) is \$600.
- (3) For subsection 6 (1) of the Act, the charge for the registration of an establishment in relation to the processing, packing or storage of a commodity mentioned in subregulation (1) is imposed in respect of the following periods:
- (a) the period commencing when the establishment is first registered and ending at the end of the charge period during which it is first registered;
  - (b) each succeeding charge period during which the establishment is registered;
  - (c) on the registration of the establishment for operations in addition to that or those for which the establishment is registered — the period commencing when the establishment is registered for that or those operations and ending at the end of the charge period during which it is registered for that or those operations.

## **5 Exemption from charge**

For subsection 6 (2) of the Act, a marine laboratory is exempt from charge if:

- (a) it is operated or funded by the Commonwealth or a State or Territory; and
- (b) its primary function is to research and develop export markets without engaging in commercial trade.



**6 Rates of charge — fish establishment**

- (1) For section 7 of the Act, this regulation sets out the rate of charge for the registration of a fish establishment for a charge period.
- (2) If the charge day for the establishment in the charge period is 1 July, the rate is the rate mentioned in Schedule 1 that applies to the establishment.
- (3) If the charge day for the establishment in the charge period is not 1 July, the rate is worked out using the formula:

$$\frac{\text{annual rate} \times \text{charging days}}{365}$$

where:

**annual rate** means the rate mentioned in Schedule 1 that applies to the establishment.

**charging days** — see regulation 3.

**7 Rates of charge — dairy establishment**

- (1) For section 7 of the Act, this regulation sets out the rate of charge for the registration of a dairy establishment for a charge period.
- (2) If the charge day for the establishment in the charge period is 1 July, the rate is the rate specified in the item in Schedule 2 that applies to the establishment on the charge day.
- (3) If the charge day for the establishment in the charge period is not 1 July, the rate is worked out using the formula:

$$\frac{\text{annual rate} \times \text{charging days}}{365}$$

where:

**annual rate** means the rate specified in the item in Schedule 2 that applies to the establishment on the charge day.

**charging days** — see regulation 3.

- (4) If a dairy establishment is of a kind specified in more than 1 item in Schedule 2, the rate that applies to the establishment is the higher or highest of the rates specified in those items.

## **8 Rates of charge for meat establishments**

- (1) For section 7 of the Act, the rate of charge for the registration of a meat establishment for a charge period is:
  - (a) the rate specified in the item in Part 1 of Schedule 3 that applies to the establishment; and
  - (b) any additional rate of charge for the registration of the meat establishment that is required under regulation 9.
- (2) If a meat establishment is of a kind mentioned in more than one item in Part 1 of Schedule 3, the rate that applies to the establishment is the highest of the rates specified in those items.

## **9 Additional rates of charge for meat establishments — throughput charge**

- (1) For section 7 of the Act, this regulation sets out an additional rate of charge for the registration of a meat establishment mentioned in item 1 or 7 of Part 1 of Schedule 3 for a charge period.
- (2) The rate is worked out by multiplying the throughput of the establishment by the rate per animal specified in column 3 of Part 2 of Schedule 3.
- (3) In this regulation:  
*throughput of the establishment* means the number of animals slaughtered or dressed at the establishment in the previous charge period.

## **10 Rates of charge — grain establishment**

- (1) For section 7 of the Act, the rate of charge for the registration of a grain establishment for a year is:
  - (a) for a bulk grain establishment — \$4 300; and

(b) for any other grain establishment — \$2 500.

(2) If a grain establishment is both a bulk grain establishment and any other grain establishment, the rate of charge for a year that applies to the establishment is \$4 300.

(3) In this regulation:

***bulk grain establishment*** means a grain establishment that loads large, unpackaged quantities of grain directly into vessels for export.

## **10 Rates of charge — egg establishment**

(1) For section 7 of the Act, this regulation sets out the rate of charge for the registration of an egg establishment for a charge period.

(2) If the charge day for the establishment in the charge period is 1 July, the rate is \$1 835.

(3) If the charge day for the establishment in the charge period is not 1 July, the rate is worked out using the formula:

$$\frac{\text{annual rate} \times \text{charging days}}{365}$$

where:

***annual rate*** means \$1 835.

***charging days*** — see regulation 3.

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## Schedule 1      Registration charges for fish establishment

(regulation 6)

Item	Kind of establishment	Rate per charge period (\$)
1	A vessel that is registered to prepare fish or fish products that undergo processing at another establishment before export	1 223
2	A land-based establishment that is registered solely for the preparation of live fish for export	1 223
3	A vessel that is registered to prepare fish and fish products for export without the need for processing	2 446
4	A land-based establishment that is: (a) registered to prepare fish or fish products; and (b) not mentioned in item 2 or 5	2 446
5	An establishment that is registered for the storage of fish or fish products for export	1 835

## Schedule 2      Registration charges for dairy establishment

(regulation 7)

Item	Kind of establishment	Rate per charge period
1	An establishment that is used for the storage of milk or milk products	\$1 820
2	An establishment that is engaged in processing or packing milk or milk products for export, that: <ul style="list-style-type: none"> <li>(a) exported less than 2 000 tonnes of milk or milk products in the preceding financial year; and</li> <li>(b) either:               <ul style="list-style-type: none"> <li>(i) is owned by a corporation; or</li> <li>(ii) is owned by, or is part of, a co-operative; and</li> </ul> </li> <li>(c) is not described in item 1</li> </ul>	\$4 275
3	An establishment that is engaged in processing or packing milk or milk products for export, that: <ul style="list-style-type: none"> <li>(a) exported 2 000 tonnes or more of milk or milk products in the preceding financial year; and</li> <li>(b) either:               <ul style="list-style-type: none"> <li>(i) is owned by a corporation; or</li> <li>(ii) is owned by, or is part of, a co-operative; and</li> </ul> </li> <li>(c) is not described in item 1 or 2</li> </ul>	\$7 729

## Schedule 3      Registration charges for meat establishment

(regulations 8 and 9)

### Part 1      Base registration charge

Item	Establishment	Rate per calendar month
1	Establishment used for the slaughter or dressing of an animal, other than poultry, for export	\$840
2	Establishment used solely for the production, preparation, storage or handling of casings for export	\$840
3	Establishment used for the storage, handling or transportation of meat or meat products for export	\$840
4	Establishment used for the slaughter of poultry for export	\$1 250
5	Establishment used for the further processing of meat or meat products for export	\$1 250
6	Establishment used for the boning of meat or meat products for export	\$1 250
7	Establishment that: <ul style="list-style-type: none"> <li>(a) operates under the control of a food safety authority of a State or Territory; and</li> <li>(b) exports meat or meat products to countries that do not impose requirements on the export of meat or meat products that are not imposed by the Australian Standard for Meat</li> </ul>	\$840

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## Part 2      Throughput charge

Item	Type of animal	Rate per animal
1	Pig	\$0.24
2	Sheep, goat or lamb	\$0.18
3	Deer or game deer	\$0.14
4	Emu or ostrich	\$0.10
5	Calf	\$0.07
6	Kangaroo or wild boar	\$0.05
7	Rabbit, possum or hare	\$0.02
8	Bull, cow, steer, heifer, buffalo, camel, donkey, horse or any other animal not mentioned in this Part	\$0.70

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**Table of Instruments****Notes to the *Export Inspection (Establishment Registration Charges) Regulations 1985*****Note 1**

The *Export Inspection (Establishment Registration Charges) Regulations 1985* (in force under the *Export Inspection (Establishment Registration Charges) Act 1985*) as shown in this compilation comprise Statutory Rules 1985 No. 362 amended as indicated in the Tables below.

For all relevant information pertaining to application, saving or transitional provisions *see* Table A.

**Table of Instruments**

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
1985 No. 362	20 Dec 1985	1 Jan 1986	
1986 No. 252	22 Sept 1986	R. 2: 1 Jan 1986 R. 4: 1 Oct 1986 Remainder: 22 Sept 1986	—
1987 No. 195	18 Sept 1987	18 Sept 1987	—
1987 No. 250	30 Oct 1987	1 Nov 1987	—
1988 No. 141	30 June 1988	1 July 1988	—
1988 No. 241	30 Sept 1988	1 Oct 1988	—
1989 No. 257	29 Sept 1989	1 Oct 1989	—
1989 No. 405	21 Dec 1989	15 Feb 1990 (see r. 1 and <i>Gazette</i> 1990, No. S32)	—
1990 No. 303	28 Sept 1990	1 Oct 1990	—
1990 No. 420	21 Dec 1990	1 Jan 1991	—
1991 No. 175	28 June 1991	1 July 1991	—
1992 No. 252	29 July 1992	1 Aug 1992	—
1993 No. 377	24 Dec 1993	1 Jan 1994	—
1994 No. 64	22 Mar 1994	Rr. 3.1, 3.2, 5 and 7: 1 Jan 1994 Remainder: 22 Mar 1994	—
1994 No. 457	30 Dec 1994	1 Jan 1995	—
1995 No. 41	14 Mar 1995	14 Mar 1995	—
1995 No. 169	30 June 1995	1 July 1995	—



**Table of Instruments**

<b>Year and number</b>	<b>Date of notification in <i>Gazette</i> or FRLI registration</b>	<b>Date of commencement</b>	<b>Application, saving or transitional provisions</b>
1996 No. 17 <b>as amended by</b>	31 Jan 1996	1 Feb 1996	—
1996 No. 82	5 June 1996	5 June 1996	—
1996 No. 81	5 June 1996	5 June 1996	—
1996 No. 110	20 June 1996	1 July 1996	—
1996 No. 193	30 Aug 1996	1 Sept 1996	—
1997 No. 183	1 July 1997	1 July 1997	—
1997 No. 190	1 July 1997	1 July 1997	—
1997 No. 265	24 Sept 1997	1 July 1997	—
1997 No. 360	15 Dec 1997	16 Dec 1997	—
1997 No. 407	24 Dec 1997	1 Jan 1998	—
1998 No. 75	5 May 1998	5 May 1998	—
1999 No. 148	1 July 1999	1 July 1999	—
2000 No. 343	20 Dec 2000	Rr. 1–3 and Schedule 1: 1 July 2000 Remainder: 20 Dec 2000	—
2001 No. 93	23 May 2001	1 July 2001	R. 4
2001 No. 135	20 June 2001	1 July 2001	—
2001 No. 299	15 Oct 2001	Rr. 1–3 and Schedule 1: 1 July 2001 Schedule 2: 1 Oct 2001 Remainder: 1 Nov 2001	—
2004 No. 29	11 Mar 2004	11 Mar 2004	—
2006 No. 321	14 Dec 2006 (see F2006L03932)	15 Dec 2006	—
2007 No. 280	27 Sept 2007 (see F2007L03790)	1 July 2008	—
2009 No. 109 (a)	19 June 2009 (see F2009L02113)	1 July 2009	—
2009 No. 344	17 Dec 2009 (see F2009L04503)	18 Dec 2009	—
2010 No. 281	25 Nov 2010 (see F2010L03048)	1 Dec 2010 (see r. 2)	—
2011 No. 166	16 Sept 2011 (see F2011L01914)	1 Oct 2011 (see r. 2 and <i>Gazette</i> 2011, No. S141)	R. 4
2011 No. 238	13 Dec 2011 (see F2011L02663)	1 Jan 2012 (see r. 2 and <i>Gazette</i> 2011, No. GN50)	—

## Table of Instruments

Year and number	Date of notification in <i>Gazette</i> or FRLI registration	Date of commencement	Application, saving or transitional provisions
2011 No. 239	14 Dec 2011 (see F2011L02674)	1 Jan 2012	—
(a) Select Legislative Instrument 2009 No. 109 was disallowed by the Senate on 15 September 2009.			

**Table of Amendments****Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
R. 2 .....	am. 1989 No. 405; 1993 No. 377 rs. 1999 No. 148; 2001 No. 299
Heading to r. 3 .....	rs. 1997 No. 265
R. 3 .....	rs. 1989 No. 405 am. 1991 No. 175; 1993 No. 377; 1994 Nos. 64 and 457; 1996 Nos. 17 and 81; 1997 Nos. 183 and 265; 2000 No. 343; 2001 Nos. 93 and 299; 2007 No. 280 rs. 2009 No. 344 am. 2010 No. 281; 2011 Nos. 166, 238 and 239
Note 1 to r. 3 .....	ad. 1996 No. 17 rs. 2007 No. 280; 2009 No. 344
Note 2 to r. 3 .....	ad. 1996 No. 17 rs. 2007 No. 280; 2009 No. 344; 2010 No. 281
Note 3 to r. 3 .....	ad. 2007 No. 280 rs. 2009 No. 344; 2010 No. 281
Note 4 to r. 3 .....	ad. 2010 No. 281
Note 5 to r. 3 .....	ad. 2010 No. 281
R. 4 .....	am. 1989 No. 405; 1990 No. 303; 1991 No. 175; 1992 No. 252; 1993 No. 377; 1995 No. 41; 1996 No. 17; 1997 Nos. 183 and 360; 1999 No. 148; 2001 Nos. 93, 135 and 299; 2004 No. 29; 2006 No. 321; 2007 No. 280 rs. 2009 No. 344 am. 2010 No. 281; 2011 Nos. 166, 238 and 239
R. 5 .....	rs. 1987 No. 195; 2007 No. 280
Heading to r. 6 .....	rs. 2001 No. 93; 2007 No. 280; 2009 No. 344
R. 6 .....	rs. 1989 No. 405 am. 1990 No. 303; 1992 No. 252; 1993 No. 377 rs. 1996 No. 193 am. 2001 No. 93 rs. 2007 No. 280 am. 2009 No. 344 rs. 2011 No. 239
R. 6A.....	ad. 2001 No. 93 rep. 2007 No. 280
Heading to r. 7 .....	am. 1996 No. 110 rs. 1996 No. 193 rep. 2001 No. 299
R. 7 .....	ad. 1993 No. 377 am. 1996 No. 17 rs. 1997 No. 265 am. 2000 No. 343 rep. 2001 No. 299

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
	ad. 2009 No. 344 am. 2011 No. 166
R. 8 .....	ad. 1993 No. 377 rep. 1996 No. 17 ad. 1997 No. 265 rep. 2001 No. 299 ad. 2009 No. 344 rs. 2011 No. 166
R. 9 .....	ad. 1993 No. 377 am. 1996 No. 81 rep. 2001 No. 299 ad. 2009 No. 344 rs. 2011 No. 166
R. 10 .....	ad. 1993 No. 377 rep. 1996 No. 17
R. 10 (first occurring) .....	ad. 2011 No. 238
R. 10 .....	ad. 2011 No. 239
R. 11 .....	ad. 1993 No. 377 rep. 2007 No. 280
R. 12 .....	ad. 1994 No. 64 rs. 1996 No. 17 rep. 1997 No. 265
R. 12A .....	ad. 1996 No. 17 am. 1997 No. 190 rep. 1997 No. 265
R. 13 .....	ad. 1994 No. 64 am. 1996 No. 17 (as am. by 1996 No. 82); 1996 No. 81; 1997 Nos. 190 and 265; 1999 No. 148 rep. 2001 No. 299
Schedule.....	am. 1986 No. 252; 1987 No. 250; 1988 Nos. 141 and 241; 1989 No. 257 rs. 1989 No. 405; 1992 No. 252
<b>Schedule 1</b>	
Heading to Schedule 1.....	rs. 1990 No. 303; 1993 No. 377; 2001 No. 93; 2007 No. 280
Schedule 1 .....	am. 1990 No. 420; 1991 No. 175; 1993 No. 377; 1994 No. 457; 1995 Nos. 41 and 169; 1996 No. 193; 1997 Nos. 183, 360 and 407 rs. 1998 No. 75 am. 1999 No. 148; 2000 No. 343; 2001 Nos. 93, 135 and 299; 2004 No. 29; 2006 No. 321; 2007 No. 280 rs. 2009 No. 344; 2011 No. 239
Schedule 1A .....	ad. 2001 No. 93 am. 2001 No. 299 rep. 2007 No. 280

**Table of Amendments**

ad. = added or inserted    am. = amended    rep. = repealed    rs. = repealed and substituted

<b>Provision affected</b>	<b>How affected</b>
<b>Schedule 2</b>	
Schedule 2 .....	ad. 1990 No. 303 am. 1990 No. 420; 1991 No. 175 rep. 1992 No. 252 ad. 1993 No. 377 am. 1994 No. 64 rs. 1996 Nos. 17 and 110; 1997 Nos. 190 and 265 am. 2000 No. 343 rep. 2001 No. 299 ad. 2009 No. 344
<b>Schedule 3</b>	
Schedule 3 .....	ad. 1993 No. 377 am. 1994 No. 64 rep. 1996 No. 81 ad. 2011 No. 166

Table A

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Table A	Application, saving or transitional provisions
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Statutory Rules 2001 No. 93

4 Transitional

- (1) This regulation applies to a dairy establishment on which a charge was imposed, under subregulation 4 (2) of the former Regulations, for a period that includes a relevant period.
- (2) If the dairy establishment has made payment for the charge and the payment included an amount for the relevant period, the charge imposed, under subregulation 4 (3) of the amended Regulations, on that establishment for the charge period beginning on 1 July 2001 is reduced by that amount.
- (3) If the dairy establishment has not made payment for the charge, or the payment made did not include an amount for the relevant period, the amount for the relevant period is taken to have been paid if the charge imposed, under subregulation 4 (3) of the amended Regulations, on that establishment for the charge period beginning 1 July 2001 is paid.

- (4) In this regulation:

***amended Regulations*** means the *Export Inspection and Meat (Establishment Registration Charges) Regulations 1985* as amended by these Regulations.

***charge period*** has the meaning given by regulation 3 of the amended Regulations.

***dairy establishment*** has the meaning given by regulation 3 of the amended Regulations.

***former Regulations*** means the *Export Inspection and Meat (Establishment Registration Charges ) Regulations 1985* as in force immediately before this regulation commences.

***relevant period*** means any period beginning on 1 July 2001

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**Statutory Rules 2011 No. 166**

**4 Transitional**

- (1) This regulation applies in relation to a person if:
- (a) immediately before the day on which these Regulations commence, the person had paid, or was liable to pay, an amount of charge under the *Export Inspection (Establishment Registration Charges) Regulations 1985*; and
  - (b) the charge related to a meat establishment that is described in Part 1 of Schedule 3 to the *Export Inspection (Establishment Registration Charges) Regulations 1985* (which is inserted by item [10] of Schedule 1 to these Regulations); and
  - (c) the amount of charge related to a part of a charge period (within the meaning of the *Export Inspection (Establishment Registration Charges) Regulations 1985* as in force immediately before the day on which these Regulations commence) that would have fallen on or after that day.
- (2) On and after the day on which these Regulations commence, the person is taken never to have been liable to pay the amount in relation to the part of the charge period that would have fallen on or after that day.

*Note* The amendments made by Schedule 1 to these Regulations change some of the charge periods for which charge is worked out under the *Export Inspection (Establishment Registration Charges) Regulations 1985*. Charge for charge periods starting on or after the day on which these Regulations commence is provided for by the amended Regulations.