

Australian Meat and Live-stock Industry Regulations 1998 1998 No. 107

EXPLANATORY STATEMENT

STATUTORY RULES 1998 NO. 107

Issued by the Authority of the Minister for Primary Industries and Energy

Australian Meat and Live-stock Industry Act 1997 & Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997

Australian Meat and Live-stock Industry Regulations 1998

The *Australian Meat and Live-stock Industry Act 1997* (the Industry Act) and the *Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997* (the Consequential Act) and related Acts gave effect to the Government's decision of 18 March 1997 to reform structures of the red meat industry. They provide for the replacement of three statutory bodies engaged in the provision of industry policy, planning, marketing and. promotion, and research and development services with a producer owned service delivery company, established under Corporations Law as a company limited by guarantee, which will be in part funded by statutory levies imposed on beef, sheep and goat producers. These Acts and related Acts received Royal Assent on 17 December 1997. Section 2 of the Industry Act provides for the Industry Act, and related Acts, to commence by proclamation or on 18 September 1998 if not proclaimed earlier.

Section 74 of the the Industry Act and Section 51 of the Consequential Act provide that the GovernorGeneral may make regulations that are required, permitted, necessary or convenient for the purposes of, or to give effect to, these Acts.

Section 59 of the Industry Act provides that the Minister must, in exercising his powers under Part 3 of the Act, have regard to any broad policies formulated jointly by those industry bodies that are prescribed in regulations.

Section 66 of the Industry Act provides that a mechanism for the Secretary of the Department of Primary Industries and Energy to determine the gross value of production (GVP) of the industry for a financial year may be prescribed in regulations. Under the Industry Act, the Government will continue to match R&D industry levy payments on a dollar for dollar basis up to the maximum matching of 0.5% of the industry GVP.

Section 67 of the Industry Act provides that the application of monies by the marketing and research bodies must be for specified purposes, and allows that additional purposes to those specified in the Act may be prescribed in regulations.

Section 12 of the Consequential Act provides for Meat & Live-stock Australia Limited, the Australian Meat Processor Corporation Limited, the Australian Live-stock Export Corporation, AUS-MEAT Limited, and the Red Meat Advisory Council Limited to be prescribed as recipients of payments, assets and liabilities.

Section 4 of the Acts Interpretation Act 1901 provides that the Governor-General may make regulations before the Industry Act and the Consequential Act come into operation, as if they had come into operation.

The purpose of the regulations is to

- (a) set out the names of the prescribed industry bodies whose broad policies the Minister

must have regard to in exercising his powers under Part 3 of the Industry Act;

- (b) set out the annual GVP for the Australian meat and live-stock industry will be determined by the Secretary of DPIE;
- (c) set out additional purposes to which monies will be applied by the marketing and research bodies, as determined by the Minister;
- (d) set out the names of the prescribed industry bodies that will receive payments, assets and liabilities.

Details of the regulations are as follows:

Regulation 1 cites the Regulations as the Australian Meat and Live-stock Industry Regulations 1998.

Regulation 2 provides for the Regulations to commence at the same time as Part 3 of the *Australian Meat and Live-stock Industry Act 1997*. Section 2 of the Industry Act provides for commencement by proclamation or on 18 September 1998 if not proclaimed earlier.

Regulation 3 defines Industry Act as the *Australian Meat and Live-stock Industry Act 1997*.

Regulation 4 prescribes the industry bodies for the purposes of section 59 of the Industry Act whose jointly formulated policies must be considered by the Minister in exercising his powers under Part 3 of the Industry Act.

Regulation 5 prescribes the way the Secretary of the Department of Primary Industries and Energy will determine the gross value of production (GVP) of the industry for a financial year, as provided under subsection 66(4) of the Industry Act.

Regulation 6 prescribes additional valid applications of monies by the marketing body and the research body under the Industry Act as the setting of meat classification and meat classification language standards and the management of an industry wide grading system and meat safety and hygiene.

Regulation 7 prescribes those bodies that may be recipients of payments, assets and liabilities under the *Australian Meat and Live-stock Industry (Repeals and Consequential Provisions) Act 1997*.