



F.R.L.I.

REPUBLICA

Administering Department: 2003B00157

Please include this copy with documents sent to
Federal Executive Council Secretariat in connection
with the making of this legislation.

ExCo Secretariat:

Please complete this copy by inserting signatures, date of
making and instrument no. and send to:
Legislative Services and Publication Unit
Office of Legislative Drafting
Attorney-General's Department

Rural Industries Research and Development Corporation Amendment Regulations 2003 (No. 1)¹

Statutory Rules 2003 No. 1²

144

I, GUY STEPHEN MONTAGUE GREEN, Administrator of the
Commonwealth of Australia, acting with the advice of the
Federal Executive Council, make the following Regulations
under the *Primary Industries and Energy Research and
Development Act 1989*.

Dated 25 JUN 2003 2003

G S M Green
Administrator

By His Excellency's Command

JUDITH TROETH
Parliamentary Secretary to the Minister for Agriculture, Fisheries
and Forestry

1 Name of Regulations

These Regulations are the *Rural Industries Research and Development Corporation Amendment Regulations 2003* (No. *✓*).

2 Commencement

These Regulations commence on 1 July 2003.

3 Amendment of *Rural Industries Research and Development Corporation Regulations 2000*

Schedule 1 amends the *Rural Industries Research and Development Corporation Regulations 2000*.

Schedule 1 Amendments

(regulation 3)

[1] Regulation 13

substitute

13 Definition

In this Division:

honeybee industry means the primary industry specified in subparagraphs 6 (1) (f) (i) and (ii).

[2] Part 2, after Division 9

insert

Division 10 Bee levy

34 Definition

In this Division:

queen bee breeding industry means the primary industry specified in subparagraph 6 (1) (f) (iii).

35 Attachment of bee levies

- (1) For paragraph 5 (1) (a) of the PIERD Act, the following levies are attached to the Corporation:
 - (a) levy imposed by clause 5.2 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999*;
 - (b) charge imposed by clause 3.2 of Schedule 14 to the *Primary Industries (Customs) Charges Regulations 2000*.
- (2) For paragraph 5 (3) (a) of the PIERD Act, the whole of each levy referred to in subregulation (1) is the research component of the levy.
- (3) For paragraph 5 (3) (b) of the PIERD Act, the queen bee breeding industry is the primary industry to which the levy relates.

36 Accounting records for bee levies

- (1) For paragraph 40 (1) (a) of the PIERD Act, the Corporation must keep separate accounting records of the funding of R & D activities relating to the queen bee breeding industry.
- (2) For paragraph 40 (1) (b) of the PIERD Act, the following amounts must be credited in the accounting records kept under subregulation (1):
 - (a) amounts of levy mentioned in subregulation 35 (1) that are received by the Commonwealth under the Collection Act and paid to the Corporation under paragraph 30 (1) (a) of the PIERD Act;

-
- (b) amounts paid to the Corporation by the Commonwealth under paragraph 30 (1) (b) of the PIERD Act;
 - (c) amounts received by the Corporation as contributions to the cost of R & D activities relating to the queen bee breeding industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for by money spent by the Corporation under section 33 of the PIERD Act on R & D activities relating to the queen bee breeding industry; or
 - (ii) from the sale of property produced in the course of carrying out R & D activities relating to that industry; or
 - (iii) from dealings in patents or other intellectual property arising out of the carrying out of R & D activities relating to that industry; or
 - (iv) for work paid for by money spent by the Corporation under section 33 of the PIERD Act on R & D activities relating to that industry;
 - (e) amounts paid to the Corporation as interest on investment of an amount mentioned in any of paragraphs (a) to (d).
- (3) For paragraph 40 (1) (b) of the PIERD Act, all amounts spent under section 33 of the PIERD Act in relation to the queen bee breeding industry are to be debited in the accounting records kept under subregulation (1).
 - (4) For subsection 40 (2) of the PIERD Act, the only R & D activities on which amounts credited under subregulation (2) can be spent are R & D activities in relation to the queen bee breeding industry.

Notes

- 1. These Regulations amend Statutory Rules 2000 No. 324, as amended by 2001 No. 133; 2002 No. 309.
- 2. Notified in the *Commonwealth of Australia Gazette* on 2003.

26 June