



Rural Industries Research and Development Corporation Amendment Regulations 2011 (No. 1)¹

Select Legislative Instrument 2011 No. 43

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 and Energy Research and Development Act 1989*.

Dated 7 April 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

MIKE KELLY
Parliamentary Secretary for Agriculture, Fisheries and Forestry

1 Name of Regulations

These Regulations are the *Rural Industries Research and Development Corporation Amendment Regulations 2011 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

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 Amendment

(regulation 3)

[1] Part 2, after Division 11

insert

Division 12 Ginger levy

40 Definition

In this Division:

ginger industry means one of the primary industries mentioned in paragraph 6 (1) (a).

41 Attachment of ginger levy

- (1) For paragraph 5 (1) (a) of the PIERD Act, the levy imposed by clause 9.2 of Part 9 of Schedule 27 to the *Primary Industries (Excise) Levies Regulations 1999* is attached to the Corporation.

-
- (2) For paragraph 5 (3) (a) of the PIERD Act, the entire levy is the research component of the levy.
 - (3) For paragraph 5 (3) (b) of the PIERD Act, the levy is for the ginger industry.

42 Accounting records for ginger levy

- (1) For paragraph 40 (1) (a) of the PIERD Act, the Corporation must keep separate accounting records of the funding of R & D activities for the ginger industry.
- (2) For paragraph 40 (1) (b) of the PIERD Act, the following amounts must be credited in the accounting records:
 - (a) amounts of ginger levy 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 for the ginger industry;
 - (d) amounts received by the Corporation:
 - (i) from the sale of property paid for in relation to research and development for the ginger industry; or
 - (ii) from the sale of property produced in relation to research and development for the ginger industry; or
 - (iii) from dealing with patents for inventions made in relation to, or intellectual property resulting from, research and development for the ginger industry; or
 - (iv) for work paid for in relation to research and development for the ginger 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 for the ginger industry must be debited in the accounting records.
- (4) For subsection 40 (2) of the PIERD Act, amounts credited in the accounting records under subregulation (2) may be spent only on R & D activities for the ginger industry.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.