



Agriculture, Fisheries and Forestry Legislation Amendment (Quota Fees) Regulations 2011 (No. 1)¹

Select Legislative Instrument 2011 No. 171

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 *Australian Meat and Live-stock Industry Act 1997*, the *Australian Meat and Live-stock (Quotas) Act 1990* and the *Dairy Produce Act 1986*.

Dated 29 September 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

JOSEPH WILLIAM LUDWIG
Minister for Agriculture, Fisheries and Forestry

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1 Name of Regulations

These Regulations are the *Agriculture, Fisheries and Forestry Legislation Amendment (Quota Fees) Regulations 2011 (No. 1)*.

2 Commencement

These Regulations commence on the day after they are registered.

3 Amendment of *Australian Meat and Live-stock Industry Regulations 1998*

Schedule 1 amends the *Australian Meat and Live-stock Industry Regulations 1998*.

4 Amendment of *Australian Meat and Live-stock (Quotas) Regulations 2000*

Schedule 2 amends the *Australian Meat and Live-stock (Quotas) Regulations 2000*.

5 Amendment of *Dairy Produce Regulations 1986*

Schedule 3 amends the *Dairy Produce Regulations 1986*.

Schedule 1 **Amendments of *Australian Meat and Live-stock Industry Regulations 1998***

(regulation 3)

[1] **Regulation 3, after definition of *quota holder***

insert

quota year means:

- (a) for a quota to export high quality beef to the European Union — a financial year commencing on 1 July; and
- (b) for a quota to export any other kind of goods — a calendar year.

[2] **Subregulation 3A (1)**

substitute

- (1) For paragraph 28 (3) (b) of the Industry Act, the fee payable for each kilogram of quota to export high quality beef to the European Union is:
 - (a) for the quota year commencing on 1 July 2011 — 0.2 of a cent; and
 - (b) for a subsequent quota year — 0.26 of a cent.
- (1A) For paragraph 28 (3) (b) of the Industry Act, the fee payable for each kilogram of quota to export any other kind of goods is:
 - (a) for the quota year commencing on 1 January 2011 — 0.2 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 0.26 of a cent.

Schedule 2 **Amendments of *Australian Meat and Live-stock (Quotas) Regulations 2000***

(regulation 4)

[1] **Regulation 3, after definition of *quota holder***

insert

quota year means:

- (a) for a quota to export high quality beef to the European Union — a financial year commencing on 1 July; and
- (b) for a quota to export any other kind of goods — a calendar year.

[2] **Subregulation 4 (1)**

substitute

- (1) For paragraph 6 (2) (a) of the Act, the fee payable for each kilogram of quota to export high quality beef to the European Union is:
 - (a) for the quota year commencing on 1 July 2011 — 0.2 of a cent; and
 - (b) for a subsequent quota year — 0.26 of a cent.
- (1A) For paragraph 6 (2) (a) of the Act, the fee payable for each kilogram of quota to export any other kind of goods is:
 - (a) for the quota year commencing on 1 January 2011 — 0.2 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 0.26 of a cent.

Schedule 3 **Amendments of *Dairy Produce Regulations 1986***

(regulation 5)

[1] Subregulation 2.13 (2), including the note

substitute

- (2) The fee for each kilogram of quota is:
- (a) for the quota year commencing on 1 January 2011 — 0.7 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 1.4 cents.

Note For US FTA creams and ice cream, the fee is a fee per litre — see regulation 2.06.

[2] Subregulation 2.23 (2), including the notes

substitute

- (2) The fee for each kilogram of quota is:
- (a) for the quota year commencing on 1 January 2011 — 0.7 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 1.4 cents.

Note 1 For US FTA creams and ice cream, the fee is a fee per litre — see regulation 2.06.

Note 2 Allocated quota will not be able to be used in relation to consignments under Division 2.5 (Export approvals) until the fee has been paid.

[3] Subregulation 2.28 (2)*substitute*

- (2) For subparagraph (1) (b) (ii), the fee for each kilogram of consignment quota is:
- (a) for the quota year commencing on 1 January 2011 — 0.7 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 1.4 cents.

[4] Subregulation 2.35 (2), including the note*substitute*

- (2) For subparagraph (1) (b) (ii), the fee for each kilogram of consignment quota is:
- (a) for the quota year commencing on 1 January 2011 — 0.7 of a cent; and
 - (b) for the quota year commencing on 1 January 2012, and each subsequent quota year — 1.4 cents.

Note For US FTA creams and ice cream, the fee is a fee per litre — see regulation 2.06.

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>.