

## **EXPLANATORY STATEMENT**

Issued by Authority of the Parliamentary Secretary for Agriculture, Fisheries and Forestry

*Primary Industries (Excise) Levies Act 1999*

*Primary Industries (Excise) Levies (Pasture Seeds) Declaration 2012*

Subclause 5(1) of Schedule 21 to the *Primary Industries (Excise) Levies Act 1999* contains a table which specifies the rates of pasture seed levy that are imposed in respect of specified plant species. Subclause 5(2) provides that the Minister may, by instrument, declare that the table in subclause 5(1) is to be amended in the manner specified in the instrument.

The purpose of the Declaration is to:

- revoke any previous declarations that had the effect of altering the table in subclause 5(1) (see clause 3 of the Declaration); and
- amend the rates of pasture seed levy to those provided for in the Declaration (see clause 4 of the Declaration and Schedule 1 to the Declaration).

The Declaration is a legislative instrument for the purposes of the *Legislative Instruments Act 2003* (see subclause 5(5) of Schedule 21 to the *Primary Industries (Excise) Levies Act 1999* and paragraph 6(d) of the *Legislative Instruments Act 2003*).

The Declaration commences on the day after it is registered on the Federal Register of Legislative Instruments.

Subclause 5(3) of Schedule 21 to the *Primary Industries (Excise) Levies Act 1999* requires that before making the Declaration, the Minister takes into consideration any relevant recommendation made by the growers' organisation. Grain Producers Australia, the industry representative organisation, and Rural Industries Research and Development Corporation, which manages the pasture seed industry research and development program, were both consulted regarding the Declaration and supported the proposed approach. The Office of Best Practice Regulation was consulted in the preparation of the Declaration (Reference Number ID13448).

### **Statement of Compatibility with Human Rights**

The Declaration is compatible with the human rights and freedoms recognised or declared in the international instruments listed in section 3 of the *Human Rights (Parliamentary Scrutiny) Act 2011*. The instrument does not engage any of the applicable rights or freedoms and is, therefore, compatible with human rights.