



## **Plant Health Australia (Plant Industries) Funding Determination 2018**

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I, David Littleproud, Minister for Agriculture and Water Resources, make the following determination.

Dated 6 December 2018

David Littleproud  
Minister for Agriculture and Water Resources

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## Part 1—Preliminary

### 1 Name

This instrument is the *Plant Health Australia (Plant Industries) Funding Determination 2018*.

### 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	13 December 2018

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

### 3 Authority

This instrument is made under subsection 10(3) of the *Plant Health Australia (Plant Industries) Funding Act 2002*.

### 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

### 5 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) PHA;
- (b) PHA plant product;
- (c) PHA year;
- (d) yearly contribution.

In this instrument:

*Act* means the *Plant Health Australia (Plant Industries) Funding Act 2002*.

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***Apple & Pear Australia Limited*** means Apple and Pear Australia Ltd (ABN 55 490 626 489).

***Australian Vignerons*** means Wine Grape Growers Australia Incorporated (ABN 15 475 806 313), which trades as Australian Vignerons.

***AUSVEG Ltd*** means the body with that name and the Australian Business Number of 25 107 507 559.

***Grain Producers Australia*** means Grain Producers Australia Limited (ABN 63 111 059 995).

***Winemakers' Federation of Australia*** means Winemakers Federation of Australia Incorporated (ABN 38 359 406 467).

## Part 2—Proportion of yearly contribution

### 6 Determination of proportion of yearly contribution—Grain Producers Australia

- (1) This section applies to the yearly contribution for Grain Producers Australia for the PHA year that commenced on 1 July 2018.
- (2) The proportion of the yearly contribution that relates to a PHA plant product mentioned in column 1 of an item in the following table is the proportion mentioned in column 2 of the item.

<b>Proportion of yearly contribution—Grain Producers Australia</b>		
<b>Item</b>	<b>Column 1 PHA plant product</b>	<b>Column 2 Proportion of yearly contribution (%)</b>
1	Barley	21.772
2	Black gram	0.000
3	Canary	0.021
4	Canola	10.029
5	Cereal rye	0.039
6	Chickpeas	5.034
7	Cowpeas	0.005
8	Faba beans	1.180
9	Field peas	0.544
10	Grain maize	0.625
11	Grain millets	0.064
12	Grain sorghum	1.954
13	Lentils	1.620
14	Linseed	0.041
15	Lupins	1.564
16	Mung beans	0.770
17	Navy beans	0.003
18	Oats	1.231
19	Peanuts	0.216
20	Pigeon peas	0.000
21	Safflower seed	0.013
22	Soy bean	0.167
23	Sunflower seed	0.105
24	Triticale	0.114
25	Vetch	0.015
26	Wheat	52.874

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**7 Determination of proportion of yearly contribution—AUSVEG Ltd**

- (1) This section applies to the yearly contribution for AUSVEG Ltd for the PHA year that commenced on 1 July 2018.
- (2) The proportion of the yearly contribution that relates to a PHA plant product mentioned in column 1 of an item in the following table is the proportion mentioned in column 2 of the item.

<b>Proportion of yearly contribution—AUSVEG Ltd</b>		
<b>Item</b>	<b>Column 1 PHA plant product</b>	<b>Column 2 Proportion of yearly contribution (%)</b>
1	Vegetables	85
2	Unprocessed potatoes	10
3	Processing potatoes	5

**8 Determination of proportion of yearly contribution—Australian Vignerons and Winemakers' Federation of Australia**

- (1) Subject to subsection (3), this section applies to the joint yearly contribution for Australian Vignerons and the Winemakers' Federation of Australia (the *first 2 bodies*) for the PHA year that commenced on 1 July 2018.
- (2) The proportion of the yearly contribution that relates to a PHA plant product mentioned in column 1 of an item in the following table is the proportion mentioned in column 2 of the item.

<b>Proportion of yearly contribution</b>		
<b>Item</b>	<b>Column 1 PHA plant product</b>	<b>Column 2 Proportion of yearly contribution (%)</b>
1	Prescribed goods on which levy is imposed in accordance with Schedule 13 (grapes) to the <i>Primary Industries (Excise) Levies Act 1999</i>	40
2	Prescribed goods on which levy is imposed in accordance with Schedule 26 (wine grapes) to the <i>Primary Industries (Excise) Levies Act 1999</i>	60

- (3) If the first 2 bodies transfer liability for the joint yearly contribution to a third body, after the transfer, this section applies in relation to the third body's liability for the yearly contribution in the same way as the section applied before the transfer in relation to the liability of the first 2 bodies for the yearly contribution.
- (4) Subsection (3) applies only if:
  - (a) the third body is a Plant Industry Member declared to be a designated body as mentioned in subsection 10(1) of the Act; and
  - (b) the relevant plant products mentioned in subsection 10(1) of the Act in relation to that designated body are the PHA plant products to which subsection (2) of this section applies.



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Note: At the time this section commenced, it was anticipated that, later in the PHA year that commenced on 1 July 2018, the first 2 bodies would be dissolved and their membership of PHA transferred to a body to be known as Australian Grape and Wine Incorporated (or similar), to be incorporated under the *Associations Incorporation Act 1985* (SA).

### **9 Determination of proportion of yearly contribution—Apple & Pear Australia Limited**

- (1) This section applies to the yearly contribution for Apple & Pear Australia Limited for the PHA year that commenced on 1 July 2018.
- (2) The proportion of the yearly contribution that relates to a PHA plant product mentioned in column 1 of an item in the following table is the proportion mentioned in column 2 of the item.

<b>Proportion of yearly contribution—Apple &amp; Pear Australia Limited</b>		
<b>Item</b>	<b>Column 1 PHA plant product</b>	<b>Column 2 Proportion of yearly contribution (%)</b>
1	Apples	100
2	Pears (except nashi)	0

## **Schedule 1—Repeals**

### ***Plant Health Australia (Plant Industries) Funding Determination 2017***

#### **1 The whole of the instrument**

Repeal the instrument.