



## **Primary Industries (Excise) Levies Amendment (Rubus) Regulations 2023**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 September 2023

David Hurley  
David Hurley  
Governor-General

By His Excellency's Command

Murray Watt  
Murray Watt  
Minister for Agriculture, Fisheries and Forestry

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## 1 Name

This instrument is the *Primary Industries (Excise) Levies Amendment (Rubus) Regulations 2023*.

## 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	1 October 2023.	1 October 2023

Note: This table relates only to the provisions of this instrument as originally made.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 the *Primary Industries (Excise) Levies Act 1999*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### *Primary Industries (Excise) Levies Regulations 1999*

#### **1 Before clause 25.1 of Schedule 15**

Insert:

#### **Division 25.1—Product levy**

#### **2 Clause 25.4 of Schedule 15**

Repeal the clause, substitute:

#### **25.4 Rate of levy—marketing component**

For the purposes of subclause 4(1) of Schedule 15 to the Excise Levies Act, the rate of levy for rubus, on or after 1 October 2023, is nil.

#### **3 Clause 25.5 of Schedule 15**

Omit “rubus is 10 cents”, substitute “rubus, on or after 1 October 2023, is 2 cents”.

#### **4 At the end of Part 25 of Schedule 15**

Add:

#### **Division 25.2—Special purpose levies**

#### **25.7 PHA levy**

- (1) For the purposes of clause 2 of Schedule 27 to the Excise Levies Act, PHA levy is imposed on rubus on which levy is imposed by Schedule 15 to that Act.
- (2) For the purposes of clause 6 of Schedule 27 to the Excise Levies Act, the rate of PHA levy on rubus is 2 cents per kilogram of the fruit.
- (3) For the purposes of clause 11 of Schedule 27 to the Excise Levies Act, PHA levy on rubus is payable by the producer of the rubus.

Note: The *Plant Health Australia (Plant Industries) Funding Act 2002* deals with some of the effects of payment and collection of PHA levy.