

1990

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA  
HOUSE OF REPRESENTATIVES

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Presented and read a first time, 10 October 1990

*(Minister for Primary Industries and Energy)*

## A BILL

FOR

### **An Act to impose a levy on the production of beef**

BE IT ENACTED by the Queen, and the Senate and the House of Representatives of the Commonwealth of Australia, as follows:

#### **Short title**

1. This Act may be cited as the *Beef Production Levy Act 1990*.

#### **5 Commencement**

2. This Act commences on 1 January 1991.

#### **Collection Act to be read with this Act**

3. The *Cattle and Beef Levy Collection Act 1990* is to be read as one with this Act.

#### **10 Interpretation**

4. In this Act, unless the contrary intention appears:  
“**abattoir**” means a place where cattle are slaughtered for human consumption;  
“**cattle**” means bovine animals other than buffalo;

“**Corporation**” means the Australian Meat and Live-stock Corporation established by section 6 of the *Australian Meat and Live-stock Corporation Act 1977*;

“**hot carcass weight**” means the weight of a carcass weighed within 2 hours after slaughtering; 5

“**levy**” means levy imposed by this Act;

“**Research and Development Corporation**” means the Australian Meat and Live-stock Research and Development Corporation established by section 4 of the *Australian Meat and Live-stock Research and Development Corporation Act 1985*. 10

### Imposition of levy

5. (1) Subject to subsection (2), levy is imposed on the slaughter at an abattoir of cattle for human consumption.

(2) Levy is not imposed on the slaughter of cattle the carcasses of which are, under any applicable law of the Commonwealth or of a State or Territory, condemned or rejected as being unfit for human consumption. 15

### Rate of levy on slaughter of cattle

6. (1) The rate of levy imposed on the slaughter of cattle consists of the sum of the amounts, per kilogram of the carcass of each head of cattle slaughtered, that are referred to in the following paragraphs: 20

(a) \$0.0189, or such other amount, not exceeding \$0.04, as is prescribed, for the purpose of payment to the Corporation;

(b) \$0.0028, or such other amount, not exceeding \$0.01, as is prescribed, for the purpose of payment to the Research and Development Corporation. 25

(2) For the purposes of the calculation of levy, the weight of a carcass is its hot carcass weight.

(3) Where an abattoir is not able to determine the hot carcass weight of cattle slaughtered, then, for the purposes of the calculation of levy, the hot carcass weight is taken to be determined, at the time of completing the slaughter, at 240 kilograms per head. 30

(4) Despite subsection (1), if the Minister makes a declaration under section 6G of the *Live-stock Slaughter Levy Act 1964*, the rate of levy under this Act on cattle slaughtered, on or after the day the declaration is expressed to come into force, is \$0.00 per kilogram of the carcass of each head of cattle slaughtered. 35

### By whom levy payable

7. Levy on the slaughter of cattle is payable by the owner of the cattle immediately after their hot carcass weight is determined or taken to have been determined, as the case requires. 40

## Regulations

8. (1) The Governor-General may make regulations, not inconsistent with this Act, prescribing matters:

- (a) required or permitted by this Act to be prescribed; or
- 5 (b) necessary or convenient to be prescribed for carrying out or giving effect to this Act.

(2) The power of the Governor-General to make regulations prescribing an amount for the purposes of paragraph 6 (1) (a) is exercisable only on advice of the Executive Council given after the  
10 Council has taken into consideration the recommendations with respect to the amount made to the Minister by the Corporation.

(3) The power of the Governor-General to make regulations prescribing an amount for the purposes of paragraph 6 (1) (b) is exercisable only on advice of the Executive Council given after the  
15 Council has taken into consideration the recommendations with respect to the amount made to the Minister by the Research and Development Corporation.

(4) The Corporation must not make a recommendation to the Minister in relation to regulations to be made for the purposes of  
20 paragraph 6 (1) (a):

- (a) if a motion that the terms of the recommendation be endorsed has not been put before the last annual general meeting of the Australian meat and live-stock industry convened under section 30B of the *Australian Meat and Live-stock Corporation Act 1977*  
25 before the making of that recommendation; or
- (b) if such a motion is so put and, by virtue of the application of subsection 30G (5) of that Act, defeated.

(5) The Corporation must, at the time of making a recommendation to the Minister of the kind referred to in subsection (4), give the  
30 Minister particulars in writing of the voting in respect of the motion that the terms of the recommendation be endorsed.

(6) The Research and Development Corporation must not make a recommendation to the Minister in relation to regulations to be made for the purposes of paragraph 6 (1) (b):

- 35 (a) if a motion that the terms of the recommendation be endorsed has not been put before the last annual general meeting of the Australian meat and live-stock industry convened under section 22 of the *Australian Meat and Live-stock Research and Development Corporation Act 1985* before the making of that  
40 recommendation; or
- (b) if such a motion is so put and, by virtue of the application of subsection 27 (5) of that Act, defeated.

(7) The Research and Development Corporation must, at the time of making a recommendation to the Minister of the kind referred to in subsection (6), give the Minister particulars in writing of the voting in respect of the motion that the terms of the recommendation be endorsed.

